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JOURNALS

OF

CONGRESS.

CONTAINING

THE

PROCEEDINGS

From JANUARY 1, 1777, *to* JANUARY 1, 1778,

PUBLISHED BY ORDER OF CONGRESS.

VOLUME III.

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JOURNALS OF CONGRESS.

WEDNESDAY, *January* 1, 1777.

RESOLVED,

THAT 2000 dollars be advanced to the committee of ſecret correſpondence; they to be accountable:

That 150 dollars be advanced to the board of war; they to be accountable.

Congreſs being informed that lieutenant colonel Baylor, one of general Waſhington's aids de camp, who brought the diſpatches from general Waſhington read yeſterday, was at the door,

Ordered, That he be admitted.

Lieutenant colonel Baylor being accordingly admitted, gave a particular account of the late action at Trenton, and withdrew.

Reſolved, That a horſe properly capariſoned for ſervice be preſented to lieutenant colonel Baylor, and that he be recommended to general Waſhington to be appointed to the command of a regiment of light horſe; and that he rank with colonel Sheldon, lately appointed to the like command, ſaving to colonel Sheldon any preference which ariſes from the ſenior date of his commiſſion.

Reſolved, That 18.79 dollars be paid to colonel Walter Stewart, for his expences in going to Peek's-Kill with diſpatches for general Lee.

Reſolved, That all the priſoners now in the town of Baltimore be ſent under a guard to Lancaſter in Pennſylvania, and there cloſely confined in the ſtockaded fort erected for

securing prisoners; and that it be earnestly recommended to the committee of inspection of Lancaster not to permit any person to converse with them except in the presence of the officer of the guard.

That the committee of inspection of Baltimore be requested to send the prisoners under guard to Lancaster, and deliver them, with a copy of the above resolution, to the committee of that borough.

An intercepted letter from Patrick Tonyn, governor of East-Florida, to the right honorable lord George Germaine, dated St. Augustine, 19th July, 1776, being laid before Congress,

Resolved, That a letter be written to the president and council of the state of Georgia by the president of Congress, inclosing a copy of the said intercepted letter, recommending to the said president and council that they proceed immediately to apprehend and secure George Mackintosh, and take such other effectual measures as they shall judge necessary for the safety of the United States of America.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *January* 2, 1777.

A memorial from Thomas Irving, a prisoner of war now in Baltimore, was presented to Congress and read, praying that he be set at liberty or allowed to proceed on his return to Carolina, agreeable to a permission granted him by governor Trumbull.

Resolved, That the said Thomas Irving be permitted to proceed to South-Carolina, under his present parole, to be when he arrives there under the direction of governor Rutledge, or the executive power of that state.

The secret committee having informed Congress that the Lexington was arrived at the port of Baltimore with a number of sailors (prisoners) and a French gentleman who was come to offer his service to Congress,

Resolved, That the marine committee be directed to take into consideration the case of sailors taken prisoners, and report thereon to Congress:

That the French gentleman arrived in the Lexington be referred for examination to general Gates.

The board of war, to whom the memorial of colonel Antil was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That colonel Samuel Patterson, at Christiana Bridge, be authorised to muster such companies of colonel Hazen's

Hazen's battalion as ſhall march by that place in their way to Philadelphia; and to deliver to ſuch companies as many arms as they may have occaſion for:

That Mr. Robert Dill be appointed paymaſter to colonel Hazen's battalion.

Reſolved, That Mr. Serjeant and Mr. Wolcott be added to the marine committee, in the room of the members from New-Jerſey and Connecticut, who are abſent.

Reſolved, That general Waſhington be directed to propoſe an exchange of the ſix Heſſian field officers taken at Trenton for general Lee.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January* 3, 1777.

A letter of the 29th from general Waſhington at Newtown, and one of the 30th and 31ſt December from Meſſ. Morris, Clymer, and Walton, were read:

Ordered, That the latter be referred to the committee on the letter from Mr. Kennon; and that two members be added to that committee, and that they meet and proceed on the buſineſs and report to Congreſs as ſoon as poſſible:

The members added, Mr. Sherman and Mr. Chaſe.

A letter of this day from major Ottendorf was read, and referred to the board of war.

The delegates from Connecticut produced the credentials of their re-appointment, which were read as follows:

"State of Connecticut. At a General aſſembly of the Governor and Company of the ſtate of Connecticut in America, holden at New-Haven on the ſecond Thurſday of October, anno domini 1776,

"*Reſolved* by this aſſembly, That Roger Sherman, Samuel Huntington, Eliphalet Dyer, Oliver Wolcott, Richard Law and William Williams, eſquires, be, and they are hereby appointed, delegates to repreſent this ſtate at the General Congreſs of the United States in America for the year enſuing: and until new be choſen, any or either of them who ſhall be preſent in ſaid Congreſs are hereby fully authoriſed and impowered to repreſent this ſtate in ſaid Congreſs; to conſult, adviſe and reſolve upon meaſures neceſſary to be taken and purſued for the defence, ſecurity and preſervation of the rights and liberties of the ſaid United States, and for their common ſafety. And of ſuch their proceedings and reſolves they do tranſmit authentic copies from time to time to the General Aſſembly of this ſtate.

"A true copy of record, examined by

"George Wyllys, ſecretary."

Reſolved, That general Waſhington be directed to propoſe and conclude with general Howe an agreement, whereby thoſe who are or may be made priſoners by the enemy may be ſupplied with proviſions and other neceſſaries, at the expence or on the credit of the United States.

Reſolved, That general Waſhington be deſired to offer in exchange, one of the Heſſian field officers lately taken, for colonel Ethan Allen.

Reſolved, That the treaſurer be directed to pay to Joſeph Trumbull, eſquire, commiſſary-general, the ſum of 300,000 dollars, by an order on ſuch of the commiſſioners of the loan-offices in New-England as ſhall be in caſh at the time of the draught; the ſaid commiſſary-general to be accountable.

[*Note.*] The preſident drew an order in favour of colonel Trumbull,

On the commiſſioner of Maſſachuſetts-Bay, 150,000 dollars,
On the commiſſioner of Connecticut, 150,000 dollars.

300,000

Whereas Congreſs hath received information that the honorable Richard Stockton, eſquire, of New-Jerſey, and a member of this Congreſs, hath been made a priſoner by the enemy, and that he hath been ignominiouſly thrown into a common jail, and there detained;

Reſolved, That general Waſhington be directed to make immediate inquiry into the truth of this report, and if he finds reaſon to believe it well founded, that he ſend a flag to general Howe, remonſtrating againſt this departure from that humane procedure which has marked the conduct of theſe ſtates to priſoners who have fallen into their hands; and to know of general Howe whether he chuſes this ſhall be the future rule for treating all ſuch on both ſides as the fortune of war may place in the hands of either party.

Reſolved, That doctor Brownſon and doctor Elmer be added to the medical committee.

Reſolved, That a committee of three be appointed to reviſe the articles of war, and report what additions and alterations ought, in their opinion, to be made therein:

The members elected, Mr. Heyward, Mr. F. L. Lee, and Mr. Clark.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *January* 4, 1777.

Ordered, That the hearing and determining upon the appeal againſt the ſentence on the libel, "John Craig verſus brig

brig Richmond, &c." be referred to the committee appointed on the 27th of November laſt to hear and determine an appeal; and that Mr. Serjeant and Mr. Ellery be added to the ſaid committee, in the room of Mr. Wythe and Mr. Payne.

Reſolved, That Benjamin Brannon be appointed a ſigner of the continental bills of credit.

The committee appointed to repair to the army brought in a report, which was read and referred to the medical committee.

Reſolved, That Gerard Hopkins, ſon of Richard, be appointed a deputy quartermaſter.

Reſolved, That an auditor of accounts be appointed in the room of Thomas Smith, eſquire, who is appointed a commiſſioner of the loan-office for the ſtate of Pennſylvania; and the ballots being taken,

Samuel Downe, eſquire, was elected.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *January* 6, 1777.

A letter of the firſt from general Waſhington;

One of the 2d and 3d from the committee of Congreſs in Philadelphia;

One of the 1ſt from W. Palfrey to Richard Peters, ſecretary at war;

One of the ſame date from Mr. Palfrey to Congreſs;

One of the 31ſt of December from Carpenter Wharton;

One of the 3d from general Putnam, with a letter to him incloſed from adjutant general Reed; and

One of the 4th from George Morgan, with ſundry papers incloſed, were read:

Ordered, That the letters from Mr. Palfrey be referred to the board of treaſury.

Reſolved, That 70,000 dollars be advanced to Joſeph Pennel, for the purpoſe of laying up magazines of proviſions, and charged to the account of Carpenter Wharton; and that Mr. Pennel be directed in making the purchaſe ſo to conduct himſelf as not to bid upon others purchaſing for the continent.

Ordered, That the letter from George Morgan, with the papers incloſed, be referred to a committee of three:

The members choſen, Mr. R. H. Lee, Mr. S. Adams, and Mr. Thornton, who are directed to confer with Mr. Morgan.

Reſolved, That the committee on general Schuyler's letters be authoriſed to employ perſons to contract with the

owners of founderies for a ſufficient quantity of cannon for the fortreſſes at or near Ticonderoga.

Reſolved, That the board of war be directed to ſend an expreſs to haſten the march of colonel Mackay's battalion, and the troops who have joined him, to Philadelphia, or to general Waſhington's army; and alſo to ſend an expreſs to haſten up the light horſe from Virginia, deſiring the commanding officer not to delay their march, on account of any priſoners he may have with him, but leaving them in ſome ſecure place to proceed with his troops with all poſſible diſpatch by forced marches to join general Waſhington.

Reſolved, That the preſident of the council of Maſſachuſetts-Bay be deſired to adminiſter an oath to Samuel Downe, eſquire, one of the commiſſioners for adjuſting the accounts of the army under the command of general Waſhington, for the faithful diſcharge of his duty, and give him a certificate thereof.

Congreſs being informed that major general Lee hath, ſince his captivity, been committed to the cuſtody of the provoſt, inſtead of being enlarged on his parole, according to the humane practice that has taken place with officers of the enemy who have fallen into the hands of the American troops; a treatment totally unworthy of that gentleman's eminent qualifications, and his rank in the ſervice of theſe United States, and ſtrongly indicative of farther injuries to his perſon:

Reſolved, That general Waſhington be directed to ſend a flag to general Howe, and inform him that, ſhould the proffered exchange of general Lee for ſix Heſſian field officers not be accepted, and the treatment of him as above mentioned be continued, the principles of retaliation ſhall occaſion five of the ſaid Heſſian field officers, together with lieutenant colonel Archibald Campbell, or any other officers that are or ſhall be in our poſſeſſion equivalent in number or quality, to be detained, in order that the ſame treatment which general Lee ſhall receive may be exactly inflicted upon their perſons.

Ordered, That a copy of the above reſolution be tranſmitted to the council of Maſſachuſetts Bay, and that they be deſired to detain lieutenant colonel Campbell and keep him in ſafe cuſtody till the farther order of Congreſs; and that a copy be alſo ſent to the committee of Congreſs in Philadelphia; and that they be deſired to have the priſoners, officers and privates, lately taken, properly ſecured in ſome ſafe place.

Reſolved,

Resolved, That two months pay be advanced to the seamen who will engage to serve on board the continental frigate Virginia, the same to be deducted out of their share of the prizes taken by the said frigate.

The medical committee brought in a report, which was read:

Ordered, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *January* 7, 1777.

A letter of the 6th from J. F. C. Lignet was read and referred to the medical committee.

A petition from Elizabeth Garvin was read and referred to the delegates of Maryland.

Resolved, That the delegates of Maryland and Mr. Witherspoon be a committee to consider the case of the prisoners in Baltimore.

Resolved, That two months pay be advanced to the men on board the Lexington, as a gratuity for their services in rescuing from the enemy and bringing in the Lexington.

The committee of treasury reported, that there should be advanced to Mr. John Doughty, for his expences in conveying loan-office certificates from Hartford to the several commissioners of the loan-offices in New-England, the sum of 106.60 dollars; he to be accountable:

That there should be advanced to Richard Dorsey and Larkin Dorsey, to purchase horses and for their expences as an escorte to John Doughty with loan-office certificates to New-England, the sum of 400 dollars; they to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *January* 8, 1777.

A letter of the 5th from the committee of Congress in Philadelphia, was read:

Resolved, That general Washington be directed to propose to general Howe an exchange of lieutenant colonel Gezeau, a French gentleman taken with general Lee, and said to be then on his journey to solicit a commission from Congress, for an officer of equal rank, or take such other measures as shall be effectual to obtain his release.

The committee of treasury laid before Congress a farther list of persons recommended by the treasurer to sign the bills of credit, who were approved of and are as follow: William Gibson, John Philpot, Richard Johns, Robert Dorsey, and Mark Alexander.

The

The committee appointed to take into conſideration a letter from William Kennon to general Lee, relative to magazines of proviſions laid up by the ſaid William Kennon in the ſtates of South-Carolina and Georgia, as it is ſaid, by order of general Lee, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it be recommended to the preſident of the ſtate of South-Carolina, and to the preſident of the ſtate of Georgia, to appoint proper perſons to inquire what quantity of proviſions have been ſtored by William Kennon for the public uſe, agreeable to engagements made with general Lee; and that they take ſuch proviſions off Mr. Kennon's hands, allowing him the price thereof if they judge it reaſonable, with an adequate recompence for his trouble and expences; that they fulfil any engagements he may be under by having pledged his credit, they receiving the proviſions for which ſuch engagements have been made. That the preſidents of the ſaid ſtates alſo appoint commiſſaries to remove ſuch proviſions as are fit for uſe to places of ſafety, and to make returns as ſoon as may be of the quantity and coſt thereof: that the preſidents of thoſe ſtates alſo certify to the continental treaſury office the amount of the ſaid William Kennon's demand againſt the continent, and that it be paid to the ſaid William Kennon accordingly, or to any other applying in his behalf, properly impowered for that purpoſe.

The committee to whom the letter of George Morgan was referred brought in a report, which was taken into conſideration; whereupon

Reſolved, That, purſuing the idea of Congreſs for quickly reinforcing the army, the governor of Virginia be deſired, by a letter from Mr. preſident, to order colonel Wood's and the Weſt Auguſta battalions to march immediately by the neareſt routs to join general Waſhington in New-Jerſey; leaving recruiting officers behind to complete the battalions if they are not already full, and to follow on with their recruits:

That for the defence of the weſtern frontiers of Virginia againſt Indian incurſions, the forts Pitt and Randolph be each garriſoned at continental expence, with a company of 100 men, commanded by one captain, two lieutenants, one enſign, and the uſual inferior non-commiſſioned officers:

That the governor and council of Virginia appoint and commiſſionate, with continental commiſſions, the proper officers to recruit and command ſaid companies, and that the men be inliſted during the war:

That

That proviſion for 2000 men ſix months be laid in at fort Pitt, to be in readineſs, if it ſhould become neceſſary, to chaſtiſe Indian irruptions by going to their towns:

That 100 buſhels of ſalt be ordered by the ſecret committee from the continental ſtock, for the purpoſe of curing ſaid proviſions:

That as many boats and proper veſſels be procured as may be ſufficient for conveying 1500 men, with their proviſions, from Pittſburg to Hockhocking; and that they be kept in readineſs at Pittſburg:

That the goods mentioned in Mr. Morgan's letter be purchaſed and brought down to this place immediately, except the powder and lead, which may remain at Pittſburg for public uſe in that quarter:

That the ſum of 4,500 dollars be advanced to Mr. Morgan on account, for the following uſes, viz.

	dollars.
For expences incurred by order of the commiſſioners,	600
For contingent expences of his department until June next,	600
Various charges and expences in tranſporting goods,	600
For purchaſing proviſions and caſks for packing, &c.	2700
	4500

That Mr. Morgan be authoriſed to draw a bill on the preſident of Congreſs, for the amount of the goods already mentioned, which he eſtimates at 4 or 5000 dollars:

That Mr. Morgan have the rank and pay of a colonel on the continental eſtabliſhment:

That John Fernee be paid the ſum of 50 dollars, for a waggon horſe, ſtolen from him by the Seneca Indians, as he returned from the late treaty at Pittſburg.

That colonel Morgan appoint a proper perſon, deputy commiſſary, for providing and taking care of the proviſions for the garriſons upon the weſtern frontiers of Virginia, and to take care of the proviſions and other continental ſtores laid up at thoſe places for Indian expeditions, and other public purpoſes; and the ſaid commiſſary is directed to receive the proviſions and fulfil the contracts made by the government of Virginia, for victualling and ſupporting ſaid weſtern garriſons.

The committee of treaſury report that there is due:

To Peter Galloway, for riding expreſs to Frederic and Annapolis in Maryland, the ſum of 13.30 dollars:

To John Biddle, for furniſhing proviſions to men, women and children priſoners, at Reading, 333.80 dollars:

They

They farther report,

That they have examined the accounts of Robert Jewell, for the maintainance of prisoners in the new jail of Philadelphia, and for the salary of himself and two assistants, &c. amounting in the whole to 1783.57 dollars; of which he has received the president's warrant for 500 dollars; and that there remains a balance due to him of 1283.57 dollars:

That there is due to the honorable Roger Sherman, esquire, for money advanced by him to Andrew Gillman, to pay the expences of the Penobscot Indians, who joined general Washington, 48.30 dollars, the said Gillman to be accountable:

That there is due to the honorable Samuel Chase, esquire, the sum of 400 dollars, 200 of which sum was advanced by him to captain Levin Winder, for the expence of conveying the North-Carolina prisoners to Baltimore, and 200 dollars advanced to Montjoy Bailey, for the expence of Jersey prisoners from Philadelphia to Frederick town; the said Winder and Bailey to be accountable.

Ordered, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *January* 9, 1777.

Resolved, That Udny Hay, esquire, be appointed a lieutenant-colonel by brevet, and assistant deputy quarter-master general, and stationed at Ticonderoga:

That William Claijon, secretary to general Gates, be appointed interpreter for the northern department, and that there be allowed him, as secretary and interpreter, the pay of 66 dollars per month:

The committee to whom the petition of the North-Carolina prisoners was referred, brought in a report which was taken into consideration; whereupon

Resolved, That a good and convenient house, if possible, be provided for their reception; that they be put upon their parole, and that an oath be administered to them, after the manner used in Scotland; and at the same time, that a serjeant's guard be kept at the house, to prevent all suspicion of improper intercourse with them:

That captain John Mackenzie, who was enlarged upon his parole several months ago, and has since resided in Donnegall in Pennsylvania, be permitted to go home to his family, he giving his oath to do nothing to the prejudice of the American States, or any of them, and finding security

ſecurity in the ſum of five hundred pounds, to obſerve this engagement, as alſo that he himſelf ſhall preſent this reſolution to the executive powers of North-Carolina, for their concurrence, and be intirely ſubject to their directions.

Reſolved, That 266.60 dollars be advanced to captain Lee for the uſe of the light-horſe under his command, on their march from Virginia to join general Waſhington; the ſaid captain Lee to account with the paymaſter general for the expenditure.

Congreſs reſumed the conſideration of the report of the medical committee; whereupon

Reſolved, That doctor John Morgan, director general, and doctor Samuel Stringer, director of the hoſpital in the northern department of the army of the United States be, and they are hereby diſmiſſed from any farther ſervice in ſaid offices:

That the directors of the military hoſpitals throughout the army, with the aſſiſtance of the hoſpital and regimental ſurgeons in each department, make returns to Congreſs, as ſoon as poſſible, of the kind and quantity of medicines, inſtruments, and hoſpital furniture that remain on hand.

A letter of the 6th from the committee of Congreſs at Philadelphia, incloſing one of the 5th from general Putnam at Briſtol, and a copy of one of the 4th from major A. Hubly at Bordentown were read, and referred to the committee of intelligence;

One of the 18th of December, 1776, from the council of Maſſachuſetts-Bay, was read and referred to the board of war.

Reſolved, That the preſident be deſired to write to the executive powers of the different United States, requeſting that they will, as ſoon as poſſible, inform Congreſs what ſucceſs the officers in their reſpective ſtates have met with in raiſing the troops required by the reſolve of the 16th of September laſt.

The delegates from the ſtate of Maſſachuſetts-Bay, laid before Congreſs credentials of their appointment, which were read as follows:

"In Council, December 10, 1776.

"Whereas John Hancock, Samuel Adams, John Adams, Robert Trait Paine, Elbridge Gerry, Francis Dana, and James Lovell, eſquires, have been choſen by joint ballot of the two houſes of aſſembly to repreſent the ſtate of Maſſachuſetts-Bay in New-England, in the American Congreſs, until the firſt day of January, 1778:

"*Reſolved*,

" *Reſolved*, That they, or any three or more of them, are hereby fully impowered, with the delegates from the other American States, to concert, direct and order ſuch farther meaſures as ſhall to them appear beſt calculated for the eſtabliſhment of right and liberty to the American States, upon a baſis permanent and ſecure againſt the power and art of the Britiſh adminiſtration; for proſecuting the preſent war, concluding peace, contracting alliances, eſtabliſhing commerce, and guarding againſt any future encroachments and machinations of their enemies; with power to adjourn to ſuch times and places as ſhall appear moſt conducive to the public ſafety and advantage. And the ſecretary is hereby directed, as ſoon as may be, to ſignify to each of thoſe gentlemen their appointment, with an atteſted copy of this reſolve.

" Sent down for concurrence. John Avery, dep. ſec.

" In the houſe of Repreſentatives, Dec. 10, 1776.

" Read and concurred. Sam. Freeman, ſpeaker, p. t.

" Conſented to by the major part of the council.

" A true copy. John Avery, dep. ſec."

Reſolved, That Mr. Brownſon be appointed a member of the marine committee:

That two members be added to the committee for regulating the ſeveral boards of buſineſs:

The members choſen, Mr. Sherman and Mr. Heyward.

The committee appointed to take into conſideration the letter from the committee of Congreſs at Philadelphia, relative to the means of procuring proviſions in the middle and ſouthern ſtates for the ſupply of the continental army, brought in a report, which was taken into conſideration; whereupon,

Reſolved, That it be moſt earneſtly recommended to the executive powers of Georgia, South-Carolina, North-Carolina, Virginia and Maryland, immediately to appoint ſuitable perſons to purchaſe and collect ſuch quantities of beef and pork as they have or can obtain ſalt to cure; that each ſtate ſhall make uſe, not only of the ſalt within its own limits, but ſhall have recourſe to its neighbours, either by bringing ſalt from them, or ſending their live hogs and cattle to be killed and ſalted there. That the perſons employed to execute this buſineſs be directed to make uſe of the utmoſt œconomy, and cautiouſly avoid bidding upon each other, whereby great injury hath already been done to the public:

That, in the opinion of Congreſs, the executive powers of the ſeveral ſtates above mentioned would do well to limit the prices of the ſaid articles, and not ſuffer perſons employed

employed in purchasing to exceed them; and that the purchasers should be paid a reasonable commission upon the purchases, in order to stimulate them to be active and industrious:

That the provisions be stored in secure magazines, convenient for transportation; and that the several states whom this resolve is intended particularly to affect, may more effectually co-operate to accomplish this important purpose, it is recommended to the said executive powers, that they confer together by epistolary correspondence, or such other manner as they may think best, in order to pursue some general and beneficial plan in which they may be mutually useful to each other:

That the president communicate to Joseph Trumbull, esquire, commissary general, such part of the committee's letter as relates to Carpenter Wharton:

That it be recommended to the secret committee to fall upon some expedient immediately to supply the state of North-Carolina with salt, for the purpose of carrying the foregoing resolution into effect.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January* 10, 1777.

A petition from William Goddard, and one from Elisha Painter, were read, and referred to the board of war.

Resolved, That 60,000 dollars be advanced to the state of Maryland for public services; the said state to be accountable.

Resolved, That 300,000 dollars be sent to Ebenezer Hancock, esquire, deputy paymaster general in the eastern department, for the purpose of paying the bounties and defraying the expences of raising the new levies in that department.

Resolved, That 16,666.60 dollars be advanced to the delegates of Georgia, for the use of that state, which is to be accountable.

Resolved, That John Dorsey and Edward Gater be appointed signers of the bills of credit, in addition to those already appointed.

Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency; and after some time spent thereon the president resumed the chair, and Mr. Nelson reported that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desired leave to sit again.

Resolved,

Reſolved, That this Congreſs will to-morrow reſolve itſelf into a committee of the whole, to take into further conſideration the ſtate of the treaſury, and the means of ſupporting the credit of the continental currency:

That 600 dollars be advanced to major Ottendorf, for the purpoſe of recruiting his independent company of 150; he to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *January* 11, 1777.

Reſolved, That the determination on the ſentence of the court martial, paſſed on colonel Donald Campbell, be referred to general Gates for his approbation or diſapprobation: any thing in a former reſolve, referring it to general Schuyler, to the contrary notwithſtanding.

Reſolved, That 266.60 dollars be advanced to captain John Jamiſon, and 266 60 dollars to major Theodorick Bland, both of the light horſe from Virginia, for defraying the expence of the troops under their command; they to be accountable:

That 1066.60 dollars be advanced to Henry Hollingſworth, for the purpoſe of ſupplying the troops from Virginia on their march to Philadelphia; he to be accountable.

It being repreſented to Congreſs that ſeveral perſons diſaffected to the American cauſe, have through inadvertence been employed as deputy poſt-maſters and poſt-riders; which, if true, muſt be attended with the moſt miſchievous effects,

Reſolved, That the poſtmaſter-general be, and he is hereby directed to tranſmit to Congreſs a liſt of names of the perſons ſo employed, and by whoſe recommendation they were introduced, that Congreſs may conſider, and if neceſſary take order therein; and that he aſſign reaſons why the late reſolves of Congreſs for regulating the poſt-office are not carried into execution.

Reſolved, That an agent be appointed for tranſacting buſineſs between the United States and the ſeveral Indian nations and tribes in Nova-Scotia, and the country to the northward and eaſtward thereof; and that Tueſday next be aſſigned for electing one.

Reſolved, That a committee of four be appointed to prepare a reſolution for regulating the impreſſing of waggons and horſes for the public ſervice:

The members elected, Mr. R. H. Lee, Mr. Sherman, Mr. Witherſpoon, and Mr. Adams.

An appeal being lodged againſt a ſentence paſſed in the court

court of admiralty for the ſtate of Rhode-Iſland, on the libel of Job Pierce, v. the brig Phœnix:

Ordered, That the hearing and determining the ſaid appeal be referred to the committee appointed on the 4th inſtant.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *January* 13, 1777.

A letter of the 5th from general Waſhington at Pluckemin in New-Jerſey;

One of the 7th and 8th from the committee of Congreſs at Philadelphia;

One of the 30th Dec. 1776, from general Schuyler at Albany;

One of the 21ſt of the ſame month from Richard Varick, with returns of the garriſons at and near Ticonderoga;

One of the 28th of the ſame month from the convention of New-York, with ſundry papers incloſed;

One of the 6th inſtant from the council of ſafety of Pennſylvania;

One of the 1ſt from J. Trumbull, junior; and

One of the 23d of December from governor Trumbull; were laid before Congreſs and read:

Ordered, That the letter from general Schuyler be referred to the committee on the northern army:

That the letter from the council of ſafety of Pennſylvania be referred to the cannon committee:

That the letter from J. Trumbull, junior, be referred to the board of treaſury:

That the reſt be referred to the board of war.

Reſolved, That 40 blankets be delivered by the ſecret committee to lieutenant Alexander Spotſwood Dandridge, of captain Lewellin Jones's troop of Virginia horſe; for the uſe of the ſaid troop.

Reſolved, That 100 dollars be paid to Walter Cruiſe, and 100 dollars to Richard Carpenter, who have been long detained priſoners by the enemy, and cruelly treated by them; and that they be recommended to General Waſhington to be employed in the ſervice of the United States in ſuch way as he ſhall think proper.

Reſolved, That the committee of Congreſs at Philadelphia be impowered to purchaſe the prize ſloop of war taken by the Andrew Doria, with her guns, apparel and furniture, and fit her out as a continental cruizer.

Reſolved, That a member be added to the board of war.

The member choſen, Mr. S. Adams.

Ordered,

Ordered, That a copy of the reſolutions lately paſſed reſpecting the northern army, be made out and delivered to general Gates, to be by him carried to general Schuyler.

Congreſs reſolved itſelf into a committee of the whole, to take into further conſideration the ſtate of the treaſury, and the means of ſupporting the credit of the continental currency; and after ſome time ſpent thereon the preſident reſumed the chair, and Mr. Nelſon reported, that the committee have had under conſideration the matter to them referred, and have made farther progreſs, but not having come to a concluſion, deſired leave to ſit again.

Reſolved, That Congreſs will to-morrow reſolve itſelf into a committee of the whole, to take into conſideration the ſtate of the treaſury, and the means of ſupporting the credit of the continental currency.

Reſolved, That the board of war be directed to ſend the priſoners who are at the guard-houſe to Leeſburg in Virginia, there to be delivered to the committee of that town, who are deſired to have them ſecurely confined till farther orders.

Reſolved, That the committee lately appointed to hear appeals, be impowered to take the depoſition of Coffin, who is obliged to go to ſea this evening, there being no magiſtrate in this town to take his depoſition.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *January* 14, 1777.

Reſolved, That William Young and George Patterſon be appointed ſigners of the bills of credit, in addition to thoſe already appointed.

The committee to whom the letter from General Schuyler was referred, brought in a report which was taken into conſideration; whereupon

Reſolved, That Meſſieurs Morris, Clymer, and Walton, be directed with all poſſible diſpatch, to procure in the ſtate of Pennſylvania or New-Jerſey, and ſend to Albany, three tons of ſteel and five tons of nail rods, for the uſe of the army in the northern department:

That Congreſs approve of general Schuyler's deſign of building five or ſix flat-bottomed boats of conſiderable force, for the guard of lake George, ſo contrived as to carry flour and other proviſions as occaſion may require:

That general Schuyler, or the commanding officer of the northern army, give ſuch inſtructions to the regimental paymaſters as he ſhall judge neceſſary, and tranſmit a copy thereof to Congreſs:

That

That the medical committee provide a ſuitable aſſortment of medicines, and ſend them to the hoſpital in the northern army with all poſſible diſpatch, together with other neceſſaries for the ſick: and that the liſt mentioned by doctor Stringer, in a paper, No. 1, incloſed in general Schuyler's letter be committed to them:

That doctor Potts be directed to repair to Ticonderoga without delay:

That doctor Stringer be directed to deliver to doctor Potts, ſuch medicines and other medical ſtores as may be in his hands belonging to the continent.

Reſolved, That the light horſe from Virginia be taken into continental pay, and put upon the continental eſtabliſhment; that their pay commence from the 25th of November laſt; and that the ſtate of Virginia be reimburſed for the horſes and furniture of the ſaid troops:

That 266.60 dollars be advanced to Theodorick Bland, eſquire, major of the ſquadron of light horſe from Virginia, for the uſe of the ſaid ſquadron; he to be accountable:

That 1000 dollars be advanced to Gerard Hopkins, ſon of Richard, quartermaſter, for the public ſervice; he to be accountable:

Agreeably to the order of the day, Congreſs proceeded to the election of an agent for the Indians in Nova-Scotia, and the tribes to the northward and eaſtward thereof; and the ballots being taken,

John Allen, eſquire, was elected.

Reſolved, That a committee of three be appointed to prepare inſtructions for Mr. Allen:

The members choſen, Mr. S. Adams, Mr. Wolcott, and Mr. Thornton.

Congreſs reſolved itſelf into a committee of the whole, to take into further conſideration the ſtate of the treaſury, and the means of ſupporting the credit of the continental currency; and after ſome time ſpent thereon the preſident reſumed the chair, and Mr. Nelſon reported that they having had under conſideration the matters to them referred, had come to ſundry reſolutions, which he was ordered to report whenever the houſe ſhould be ready to receive them:

Ordered, That they be now received.

The report from the committee of the whole being read was agreed to, as follows, viz.

Whereas the continental money ought to be ſupported at the full value expreſſed in the reſpective bills by the inhabitants of theſe ſtates, for whoſe benefit they were iſſued, and who ſtand bound to redeem the ſame according

to the like value; and the pernicious artifices of the enemies of American liberty to impair the credit of the ſaid bills by raiſing the nominal value of gold and ſilver, or any other ſpecies of money whatſoever, ought to be guarded againſt and prevented:

Reſolved, That all bills of credit emitted by authority of Congreſs ought to paſs current in all payments, trade and dealings in theſe ſtates, and be deemed in value equal to the ſame nominal ſums in Spaniſh milled dollars; and that whoſoever ſhall offer, aſk or receive more in the ſaid bills for any gold or ſilver coins, bullion, or any other ſpecies of money whatſoever than the nominal ſum or amount thereof in Spaniſh milled dollars, or more in the ſaid bills for any lands, houſes, goods or commodities whatſoever than the ſame could be purchaſed at of the ſame perſon or perſons in gold, ſilver, or any other ſpecies of money whatſoever; or ſhall offer to ſell any goods or commodities for gold or ſilver coins, or any other ſpecies of money whatſoever, and refuſe to ſell the ſame for the ſaid continental bills; every ſuch perſon ought to be deemed an enemy to the liberties of theſe United States, and to forfeit the value of the money ſo exchanged, or houſe, land or commodity ſo ſold or offered for ſale. And it is recommended to the legiſlatures of the reſpective ſtates to enact laws inflicting ſuch forfeitures and other penalties on offenders as aforeſaid as will prevent ſuch pernicious practices:

That it be recommended to the legiſlatures of the United States to paſs laws to make the bills of credit iſſued by the Congreſs a lawful tender in payments of public and private debts; and a refuſal thereof an extinguiſhment of ſuch debts: that debts payable in ſterling money be diſcharged with continental dollars at the rate of 4/6 ſterling per dollar; and that in diſcharge of all other debts and contracts, continental dollars paſs at the rate fixed by the reſpective ſtates for the value of Spaniſh milled dollars:

That it be recommended to the legiſlatures of the ſeveral ſtates to paſs reſolutions that they will make proviſion for drawing in and ſinking their reſpective quotas of the bills emitted by Congreſs at the ſeveral periods fixed, or that ſhall be fixed by Congreſs:

That it be recommended to the legiſlatures of the ſeveral ſtates to raiſe by taxation in the courſe of the current year, and remit to the treaſury, ſuch ſums of money as they ſhall think will be moſt proper in the preſent ſituation of the inhabitants; which ſums ſhall be carried to their credit, and accounted for in the ſettlement of their proportion of the public expences and debts, for which the United States are jointly bound:

That

That an additional ſum of two millions of dollars be borrowed at the loan-offices, on certificates of 200 dollars each:

That the commiſſioners of the loan-office be directed to receive the bills of credit heretofore emitted by the ſtates in which they reſpectively hold their offices, for ſuch ſums as ſhall be ordered by the commiſſioners of the treaſury or continental treaſurer from time to time for continental purpoſes within ſuch ſtates reſpectively.

Congreſs being informed that a number of Heſſian officers, priſoners, are on their way to this town,

Reſolved, That the board of war be directed to ſend the ſaid priſoners to Dumfries in Virginia, with a requeſt to the committee of the ſaid town to ſee them ſuitably provided for agreeable to the proviſion made for priſoners.

Reſolved, That two months pay be advanced to St. Pierre Auguſte de St. Aubin, adjutant of the ſquadron of the Virginia light horſe; he to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *January* 15, 1777.

Reſolved, That Meſſieurs Purviance be requeſted immediately to remove all the powder belonging to the continent from the warehouſe in this town to a convenient houſe ſome diſtance therefrom, in proper waggons and carts, taking care that the tight barrels alone be removed, and that careful perſons be employed to make thirty gallon caſks, ſufficient to contain all the powder that may be in battered or open caſks:

That captain Smith be deſired to furniſh a guard of the moſt truſty and orderly ſoldiers, over the powder.

The committee appointed to prepare inſtructions to Mr. J. Allen, agent for Indian affairs in the eaſtern department, brought in a draught which was read, and being amended, was agreed to as follows:

Sir, Having been informed of your knowledge of, and acquaintance with the tribes of Indians, inhabitants of St. John's and Nova-Scotia, and confiding in your zealous attachment to the intereſt of the United States, this Congreſs have made choice of you to be their agent, impowering you in their behalf, to treat with thoſe Indians, and as far as you ſhall be able, to engage their friendſhip, and prevent their taking a part on the ſide of Great-Britain in the unjuſt and cruel war againſt theſe United States:

You will explain to them, as clearly as their underſtanding of the nature and principles of civil government will

admit, the grounds of the diſpute between Great-Britain and America, the pains that we have taken to ſettle thoſe diſputes on the rules of equity, and the neceſſity we were finally driven to, in defence of our liberty and lives, to reſiſt our oppreſſors unto blood. Thus by convincing them of the juſtice of our cauſe, you may attach them to our intereſts, and lay a ſolid foundation for laſting peace and friendſhip with us:

You will alſo inform them of the union that ſubſiſts among the people of theſe ſtates, and the ſtrength derived therefrom to each of them; that viewing us in this light, they may ſee their own ſafety depending upon their peaceable diſpoſition and behavour towards us:

You are to cultivate trade with them, by which means many great advantages, which have heretofore thence accrued to the ſubjects of Great-Britain, will be gained by the people of theſe ſtates:

And you are in a particular manner inſtructed to uſe your utmoſt diligence and influence to promote an intercourſe and correſpondence between thoſe tribes and the Indians living in and about Canada, by the effecting of which, the moſt uſeful and neceſſary intelligence may be frequently obtained; and you are to give the earlieſt notice to Congreſs, and to general Waſhington, and the commanding officer at Ticonderoga, of ſuch intelligence as you may receive:

You will as often as you ſhall be required, exhibit to Congreſs a fair account of the expenditure of ſuch monies as you may be entruſted with for the purpoſe of your agency; together with a general ſtate of affairs within your department, that Congreſs may avail themſelves of it for the public good.

Reſolved, That the ſum of 900 dollars be annually allowed and paid to John Allen, eſquire, during his continuance as agent of this Congreſs to the Indians of St. John's and Nova-Scotia:

That 1000 dollars be advanced to John Allen, eſquire, agent, &c. to enable him to carry on the affairs of his agency among the Indians of St. John's and Nova-Scotia; he to be accountable for the ſame.

Reſolved, That the ſum of 533.30 dollars be advanced to the board of war, for defraying the expence of ſending the Heſſian priſoners to Dumfries, and the priſoners in the guard houſe in Baltimore to Leeſburg in Virginia, agreeable to the orders of Congreſs; the ſaid board to be accountable for the expenditure.

Reſolved, That the ſum of 55000 dollars be advanced to the

the delegates of Georgia, for the use of the troops raised by that state; the said state to be accountable.

Resolved, That the secret committee be directed to supply captain Yates's company with blankets; and that one month's pay be advanced to captain Yates for his company; he to be accountable.

Resolved, That 2000 dollars be advanced to brigadier Smallwood, for the purpose of defraying the arrears due to the men of his late battalion; he to be accountable.

Resolved, That to-morrow be assigned for appointing a paymaster in Baltimore.

Congress then resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency, and after some time the president resumed the chair, and Mr. Harrison reported that the committee have come into a resolution on the subject to them referred, which he was ordered to report:

The report being read was agreed to, as follows;

Resolved, That the continental treasurer be impowered and directed to borrow money on the loan-office certificates; that they be counterfigned by the auditor general for the time being, and that in transacting this business he govern himself by the rules prescribed to the commissioners of the other loan-offices; and have for his trouble the same allowance.

Resolved, That this Congress will to-morrow resolve itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *January* 16, 1777.

Resolved, That Mr. Paine be added to the committee last appointed to hear appeals.

Resolved, That a warrant for 100,000 dollars in favour of James Mease, for public service, be drawn and sent to the treasurer; that sum having been advanced by the treasurer on the 11th of December last to the said Mease by order of Mr. Nelson:

That a warrant for 26.60 dollars be drawn in favour of John Norman, for a rolling press; that sum having, on the same day above mentioned, been advanced by a like order:

That a warrant for 10,000 dollars be drawn in favour of Carpenter Wharton, for public service; that sum having been paid by the treasurer on the said 11th of December to

James White, assistant deputy commissary, by order of Mr. President, issued in pursuance of a letter from said Carpenter Wharton.

Resolved, That 365 dollars be paid to George Ross, esquire, and charged to colonel Moses Hazen; the same being in full of an order in his favour drawn by lieutenant colonel Edward Antill, for the recruiting service of colonel Hazen's regiment, dated January 6, 1777.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That general Washington be directed to propose to general Howe that a commissary be appointed on behalf of the United States to furnish the American prisoners of war, captivated by the British army, with such necessaries as they may want; and if such commissary be allowed to reside among the prisoners, that general Washington appoint a suitable person for the purpose, until an exchange can be effected:

That the continental agents in the middle and eastern departments be directed to furnish the commissary of cloathing with an acoount of what cloaths or materials for making cloaths they have in their custody, and that they send forward such cloathing to the order of the said commissary of cloathing, to be distributed agreeable to the directions of general Washington among the troops in the several departments, in such proportions as he shall think proper: and that the general be requested particularly to attend to the wants of the state of New-York, which from its peculiar situation, is precluded from the means of procuring cloathing and necessaries for the troops raised there:

That a copy of the letter from the convention of New-York, dated at Fish-Kill, 28th of December last, be sent to general Washington; and that he be impowered to take such order in the several matters therein contained as he shall think best; and that a letter be written to the said convention, informing them of what Congress has done in compliance with their several requests:

That so much of the letter from the convention of New-York as relates to the defence of Hudson's river, by means of the frigates or otherwise, be referred to the marine committee:

That the convention of New-York be informed that Congress highly approve of their spirited exertions for the defence of their own and the state of New-Jersey against the desolation and ravages of our cruel and remorseless enemy; and that Congress have received the address of the said convention to the people of that state, containing sentiments highly

highly and generally intereſting to the inhabitants of theſe ſtates, to whoſe ſerious peruſal and attention it is earneſtly recommended; and that the ſame be tranſlated into the German language and printed at the expence of the continent:

That Mr. Lewis be directed to have the ſaid addreſs tranſlated and printed.

Reſolved, That a committee of ſeven be appointed to enquire into the conduct of the Britiſh and Heſſian generals and officers towards the officers, ſoldiers, and mariners in the ſervice of the United States, and any other perſons inhabitants of theſe ſtates, in their poſſeſſion, as priſoners of war, or otherwiſe, and alſo into the conduct of the ſaid generals and officers and the troops under their command towards the ſubjects of theſe ſtates and their property, more eſpecially of the ſtates of New-York and New-Jerſey.

The members choſen, Mr. Chaſe, Mr. Witherſpoon, Mr. Clark, Mr. Lewis, Mr. Roſs. Mr. Heyward, and Mr Smith.

The committee of treaſury reported that there is due to Abraham Simons, for the hire of Ludwick Neal's waggon, in the ſervice of the Virginia light-horſe, the ſum of 15 pounds, Virginia money, equal to 50 dollars.

To John Blackburn, for the hire of Thomas Allen's waggon, in the ſervice of the Virginia light-horſe, the ſum of 47.82 dollars:

Ordered, That the ſaid accounts be paid.

Reſolved, That the appointment of a paymaſter in Baltimore be poſtponed till Saturday next.

Ordered, That the oath of fidelity be publiſhed.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January* 17, 1777.

A letter of the 10th from brigadier Lewis; and one of the 12th from William Aylett, deputy commiſſary-general in Virginia, were read;

Ordered, That the letter from deputy commiſſary Aylett be referred to the board of war.

Ordered, That Mr. Preſident return an anſwer to brigadier Lewis, and inform him that Congreſs deſire him to continue in Virginia; and that he has liberty to viſit his family, provided the public ſervice will admit.

A letter, with a number of papers, from doctor Morgan was laid before Congreſs, and referred to the medical committee.

Reſolved, That 300,000 dollars be ſent to the paymaſter-general for the uſe of the army: That

That 40 dollars be paid to Guillaume de Luce, to defray the expences of his journey to the army under general Washington.

Resolved, That two members be added to the committee of intelligence; and that the said committee be directed to publish an authenticated extract of the last letter from general Washington:

The members chosen, Mr. Heyward, and Mr. Serjeant.

Congress being informed that six companies of Maryland militia, under the command of colonel Murdock, consisting in the whole of 101 privates without arms, and 53 commissioned and non-commissioned officers are in this town, waiting the orders of Congress,

Resolved, That Congress approve of the alacrity and spirit of the said militia; but considering that such a great disproportion of officers and men is utterly inconsistent with military order and arrangement, and that encouraging such an example, might involve these United States in great expence, and not having a sufficient number of arms at present to equip them and the troops to be raised on the new establishment, order that the said companies be discharged and paid, and that 1000 dollars be lodged with Mr. Jonathan Hudson, for the purpose of paying these troops, and the two companies of the said battalion which are expected in town.

Sundry resolutions respecting the laying up of magazines of provisions, being moved and seconded,

Ordered, That they be referred to a committee of three:

The members chosen, Mr. Sherman, Mr. Chase, and Mr. Gerry.

Ordered, That the secret committee lay before Congress a list of the articles which they have ordered in consequence of the directions of Congress, distinguishing how much is arrived and what is expected.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *January* 18, 1777.

General Gates, to whom the sentence of the court-martial held at Crown Point in July last upon the conduct of colonel Campbell, was referred, having reported that he has considered the same, and is of opinion that colonel Donald Campbell, deputy quartermaster general in the northern department, does not deserve to be cashiered for the crime alledged against him in the general court-martial referred to:

Ordered, That a copy of the above be sent to general Washington:

That

That the memorial formerly received from colonel Campbell, with the papers inclosed, be referred to a committee of three:

The members chosen, Mr. Ross, Mr. Whipple, and Mr. Adams.

Resolved, That 6000 dollars be advanced to colonel Mackoy, for the purpose of paying the non-commissioned officers and privates of his battalion ten dollars bounty, in addition to the ten dollars advanced them on their first inlistment, provided they will re-inlist to serve for three years, or during the war, agreeably to former resolutions of Congress; colonel Mackoy to be accountable.

The board of war brought in a report which was taken into consideration; whereupon,

Resolved, That 100,000 dollars be sent to governor Trumbull for the purpose of recruiting the continental army in the state of Connecticut:

That William Aylett, esquire, deputy commissary-general in Virginia, be directed to secure and safely keep for the continental use, all provisions, agreed to be furnished by the contractors in that state, agreeably to their several contracts; and that it be left to the governor and council of that state, so settle what compensation shall be given to the contractors by the ration for their trouble and expence in purchasing the said provisions.

Resolved, That Congress approve of the proceedings of their committee at Philadelphia, in supplying the recruiting officers appointed by the state of New Jersey, with money; and also of their exertions in furnishing the paymaster-general, and Mr. Huntington with what cash they could procure to answer their immediate demands:

That one independent company, consisting of a captain, two lieutenants, one ensign, four serjeants, four corporals, one drum, one fife, and seventy-six rank and file, be forthwith raised for the continental service, for three years or during the war, and stationed in the borough of Lancaster as a guard over the prisoners of war, and public stores in that place, until they shall be ordered elsewhere:

That the officer commanding the said company afford to the committee of Lancaster, all necessary assistance to carry into execution the resolves of Congress:

That particular attention be paid to the enlisting of sober and discreet men into the said company:

That the committee of Congress in Philadelphia, be desired to inform the quartermaster-general, what number of horses and oxen in the public stables at Philadelphia are fit for service:

That

That they employ a careful perſon to diſtribute in the country ſuch of them as are diſabled, there to be recruited in the cheapeſt manner:

That the keepers of the continental ſtables admit no horſes or teams to be received into, or taken out of the ſame, unleſs by order of a general officer commanding in the place where the ſtables are reſpectively kept, or of the quartermaſter or deputy-quartermaſter-general, or waggonmaſter, or deputy-waggonmaſter-general.

The board of war, to whom the caſe of major Painter was referred, reported, that upon enquiry into the matter of the uneaſineſs of ſome of the captains in colonel Seth Warner's regiment, at the appointment of Eliſha Painter to be major of the ſaid regiment, it appears to have proceeded from an opinion of their prior rank to him as captains, previous to ſaid appointment, and that his continuance in the ſaid regiment will probably obſtruct the filling up the ſame, and be prejudicial to the ſervice; whereupon

Reſolved, That the ſaid Eliſha Painter be removed from any command in the ſaid regiment, and referred to general Waſhington for an appointment to ſuch an office as he ſhall judge him qualified to fill.

Ordered, That an authenticated copy of the declaration of independency, with the names of the members of Congreſs, ſubſcribing the ſame, be ſent to each of the United States, and that they be deſired to have the ſame put upon record.

Agreeably to order, Congreſs proceeded to the election of a paymaſter in Baltimore; and the ballots being taken,

Mr. Jonathan Hudſon was elected.

Reſolved, That the ſalary fixed for the aſſiſtant clerk of the board of war be continued to Mr. Nourſe, and that an additional ſum be allowed him at the rate of 266.60 dollars per annum, on account of his extraordinary expences.

The committee of treaſury reported that there is due;

To George Roſs, eſquire, for the expences of himſelf, doctor Witherſpoon, and Mr. Paca, a committee of Congreſs ſent to New-Jerſey; and for caſh paid by him to Mr. Jacob Hyer for keeping an expreſs horſe at Princeton, 89.60 dollars:

To Robert Moore, for 13 walnut and 6 mahogany chairs, a deſk and table, for the uſe of Congreſs and the preſident's office, 93 dollars:

To the reverend doctor John Witherſpoon, for wood ſupplied the troops at Princeton; for the expences of ſick ſoldiers; and the allowance due to John M'Kenzie, a priſoner

priſoner from North-Carolina ; from the 18th of October to the 10th of January, incluſive, being 12 weeks, 105.78 dollars :

Ordered, That the ſaid accounts be paid.

Ordered, That the reſolution appointing a committee of ſeven to enquire into the conduct of the Britiſh and Heſſian officers, with regard to the treatment by them ſhewn to the priſoners in their poſſeſſion, be publiſhed, with the names of the committee.

Reſolved, That a ſtorekeeper be appointed to take the charge and care of the continental ſtores in Maryland :

That Monday next be aſſigned for electing him.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *January* 20, 1777.

A letter of the 12th from general Waſhington ;

One of the 16th from the committee of Congreſs at Philadelphia, with copies of ſundry letters encloſed ;

One of the 27th December laſt from the honorable Meſheck Weare, preſident, in behalf of the council and aſſembly of New-Hampſhire ;

One of the 7th from general Schuyler at Albany ; and

One of the 2d from colonel A. Wayne at Ticonderoga ; were read :

Ordered, That the letters from general Schuyler and colonel Wayne be referred to the board of war :

That the letter from the honorable Meſheck Weare be referred to the committee of treaſury.

A letter of the 15th from brigadier general Armſtrong and J. Wilſon, eſquire, was read and referred to the board of war.

Nathaniel Giſt, eſquire, being appointed by general Waſhington a colonel of a corps of rangers, and by him recommended to Congreſs for money to pay the bounty :

Reſolved, That 3000 dollars be advanced to colonel Giſt towards paying the bounty of his corps ; he to be accountable :

That a farther ſum of 250 dollars be advanced to colonel N. Giſt, to defray the expences of his journey to the Cherokee country, agreeable to orders received from the general ; for which colonel Giſt is to be accountable.

The board of treaſury, to whom the letter from the honorable Meſheck Weare was referred, brought in a report, which was taken into conſideration ; whereupon

Reſolved, That 100,000 dollars be advanced to the ſtate of New-Hampſhire, for the public ſervice ; the ſaid ſtate to be accountable.

A motion being made and seconded for ordering barracks to be built,

Ordered, That it be referred to the board of war.

Ordered, That the board of war take into consideration the pay of the staff, and report thereon to Congress.

Ordered, That an extract of the letter from the committee of Congress at Philadelphia, respecting an expedition to the northward, be sent and referred to general Schuyler.

A letter of the 14th from the committee of Congress at Philadelphia;

One of the 9th from general Washington at Morristown;

One of the 3d from general Schuyler with a memorial from Bernard Moissac de la Marquisse, were read:

Resolved, That 400 dollars be advanced to John Griffith, for the use of the sick in the hospital in Baltimore; he to be accountable.

Resolved, That a committee of three be appointed to examine the file of reports, and lay before Congress a list of the business unfinished, and which ought to be taken up:

The members chosen, Mr. Ellery, Mr. Ross and Mr. Hall.

That 750 dollars be advanced to the delegates of North-Carolina, for the use of that state, which is to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *January* 21, 1777.

A letter of the 18th instant from Richard Bache, esquire, postmaster general, was received and read.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That colonel Grayson, and lieutenant colonel Innes, of colonel Mason's regiment, to be raised in the state of Virginia, be immediately furnished with cloth for two hundred suits of cloaths, in order to expedite the raising of those regiments:

That the part of the 8th Virginia regiment now in South-Carolina be ordered back, and that colonel Muhlenberg be directed to recruit those companies, as well as such as are now in Virginia, to their full complement of men, and to march the companies as fast as complete to join general Washington:

That major Richard Campbell, who was appointed by general Lee in South-Carolina to act as major to colonel Muhlenberg's regiment until the pleasure of Congress should be known, be appointed to said majority, his commission to bear date the 10th of August last, the time he was appointed in general orders:

That

That 300 dollars be advanced to major Richard Campbell, to enable him to discharge waggons and furnish the troops he has now with him on their way to camp, with shoes and such other necessaries as they may want; the said major Campbell to be accountable for the expenditure.

Resolved, That 10,000 dollars be paid to colonel William Grayson, for the purpose of recruiting his regiment, and that the same be charged to the account of William Palfrey, esquire; it being in full of a warrant drawn by general Washington in his favour on William Palfrey, dated Morristown, 11th January, 1777.

Application having been made to Congress by the friends of major West of the 3d Pennsylvania battalion, now a prisoner with the enemy, for an exchange of him for Mr. Jauncey, junior, and that if the exchange takes place Mrs. Jauncey be permitted to accompany her husband; and it appearing on consideration of this application, that the said Mr. Jauncey, junior, was removed to the state of Connecticut from New-York by direction of the convention of the said state of New-York;

Resolved, That the said application be referred to the convention of New-York, that they may do therein what shall be proper.

Ordered, That a letter be written to the council of safety of Maryland, earnestly recommending to them to appoint subaltern officers for the several companies raising by their order in their state, that the recruiting service may be expedited, and the men when raised properly trained.

Resolved, That Richard Stringer be appointed a signer of the continental bills of credit, in addition to those already appointed.

Resolved, That Angus Mac Donald, one of the North Carolina prisoners, be admitted to his parole, upon taking an oath after the mode observed in that part of Great-Britain called Scotland, in administering oaths, that he will observe the same:

That Mr. Middleton be impowered to take his parole, and administer the oath.

On application of colonel Macgruder for the directions of Congress,

Resolved, That the two companies of his battalion which have already marched, be directed to join the army under general Washington, and that any other companies of his battalion, consisting of not less than 36 privates, under the command of two commissioned officers, be also marched as soon as possible, and that a field officer take the command of every four companies.

Resolved,

Reſolved, That it be recommended to the council of ſafety of Maryland to requeſt the militia of Hartford, Baltimore, Cæcil, and ſuch other counties of their ſtate as they ſhall think proper, to march as ſoon as poſſible to reinforce general Waſhington, giving directions that each company conſiſt of not leſs than 36 privates, under the command of two commiſſioned officers, and that a field officer take the command of every four companies.

The committee of treaſury reported, that they have had under conſideration the requiſition of captain William Blackwell, for a ſum of money to be advanced him, for the bounty and ſubſiſtence of his company in a Virginia regiment, under the command of colonel Rawlins, and that there ſhould be advanced to the ſaid colonel Rawlins, he to be accountable, the ſum of 1477,85 dollars, and that the ſum be delivered to the ſaid captain Blackwell for the purpoſes aforeſaid:

Ordered, That the ſaid ſum be advanced.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *January* 22, 1777.

A letter of the 17th from the committee of Congreſs at Philadelphia was read:

Reſolved, That 200,000 dollars be ſent to the committee of Congreſs in Philadelphia, for public ſervice.

A letter of the 13th from general Waſhington, incloſing copies of letters to lord and general Howe:

One of the 17th from the council of ſafety of Pennſylvania, with ſundry papers incloſed; were laid before Congreſs and read:

Ordered, That the ſame, and alſo the letter from the committee of Congreſs at Philadelphia, be referred to a committee of three:

The members choſen, Mr. Wolcott, Mr. S. Adams, and Mr. Gerry.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That a company be immediately raiſed on the new eſtabliſhment in the ſtate of Pennſylvania, to be ſtationed at and near Kittaning, to guard the public buildings and ſtores, and to protect the frontier inhabitants from the incurſions of the Indians:

That Samuel Morehead be appointed captain of the ſaid company:

Andrew Macfarlane, firſt lieutenant,

William Jack, ſecond lieutenant, and

John Carnaghan, enſign:

That

That 1400 dollars be advanced to captain Morehead, to enable him to recruit the said company; he to be accountable:

That Thomas Butler be appointed public armourer, and that he immediately repair to the city of Philadelphia to superintend the said business, agreeably to the resolve of the 19th of November:

That he be allowed three dollars a day for his pay and expences.

Resolved, That the allowance for subsistence of recruits while in quarters, till they join their respective regiments, and be supplied with rations, be raised to one dollar and one third of a dollar per week.

A petition from Bartholomew Burke and Hamilton Ballantine was presented to Congress and read:

Ordered, That it be referred to the board of war.

The committee on impressing carriages brought in a report, which was taken into consideration, and after debate,

Ordered, That it be re-committed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *January* 23, 1777.

The marine committee having recommended captain Fulford to take the command of the armed brig Lexington;

Resolved, That he be appointed to take the command of the said armed brig Lexington.

Resolved, That two frigates, one of 36, and the other of 28 guns, be immediately built in the state of Connecticut.

Resolved, That 2000 dollars be advanced to Mr. Jonathan Hudson, for the public service; he to be accountable.

Resolved, That 41,640 dollars be advanced to colonel George Baylor, for the purpose of purchasing horses and paying the bounty of men for the regiment of cavalry he is ordered to raise, that the same be paid to major A. Clough, and charged to colonel Baylor, who is to be accountable.

The committee appointed to examine the files, &c. brought in a report, which was read;

Ordered to lie on the table.

A letter of the 30th of December from the general assembly of Massachusetts-Bay, with sundry papers inclosed, was read.

Mr. Leonard Jarvis, whom John Bradford, esquire, agent for the United States in Massachusetts-Bay, has appointed an agent at Dartmouth, and who had the possession and charge of the continental stores imported in the Hancock

and

and Adams, having by a letter of the 13th of December laſt informed the ſecret committee that at the recommendation of the general court of Maſſachuſetts-Bay he has delivered out part of the arms to the militia who were called to ſtop the progreſs of the Britiſh troops, the arms to be returned when called for: and by a letter of the 14th of December laſt having farther informed the ſaid committee, that in conſequence of a vote of the general committee of the ſtate of Rhode-Iſland, and of a letter from governor Cooke and Daniel Tillinghaſt, eſquire, he has delivered to Mr. Fry, for the ſaid Daniel Tillinghaſt, eſquire, agent at Providence, ſix tons of lead, ſix caſks of flints, forty-eight cheſts of arms, and two hundred and ſixty barrels of gun-powder; thereupon

Ordered, That the ſecret committee write to the agent at Dartmouth, and inform him they can by no means authoriſe their agents to deliver ſtores in their cuſtody, except by orders of Congreſs, or perſons by them authoriſed; but that extreme neceſſity for arms and ſtores exiſting in the opinion of the general committee of the ſtate of Rhode-Iſland, then invaded by a formidable army, may hold him excuſed for the arms and ſtores he delivered to that ſtate, at their urgent requeſt; and that he may alſo be excuſed for the delivery of arms to the militia of the ſtate of Maſſachuſett's-Bay, in conſequence of the recommendation of the general court of that ſtate; that at the ſame time they direct their agent to procure a return of them as ſoon as circumſtances will admit.

The board of war, to whom a petition from monſieur Pilleſier was referred, brought in a report; whereupon

Reſolved, That the ſaid petition be referred to general Waſhington.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January* 24, 1777.

A letter of the 17th inſtant from John M'Kinley, eſquire, ſpeaker of the aſſembly of the ſtate of Delaware, with ſundry reſolves of that aſſembly, was read:

Ordered, That the ſame be referred to the Committee of Congreſs at Philadelphia.

John Taylor, eſquire, being appointed a major in colonel Hazen's regiment;

Reſolved, That a commiſſion be granted to him, and that the ſame be dated the 13th of November, 1776.

Reſolved, That 1000 dollars be paid to major John Taylor, for the purpoſe of raiſing recruits for the regiment in

in which he is a major, and that the same be charged to the account of colonel Moses Hazen, this being in full of an order drawn by lieutenant colonel Edward Antill, of colonel Hazen's regiment, in favour of the said John Taylor, dated January 20, 1777.

The Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, &c. and after some time the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matters to them referred, but have as yet come to no resolution thereon:

There being no delegates in attendance from the state of Delaware, and one only from the state of New-York, who, according to the instructions given by that state to their delegates, is not impowered to give a vote:

Ordered, That Mr. President write to the states of New-York and Delaware, requesting them immediately to send to Congress a representation of their respective states, and to provide that for the future applications of this sort may be rendered unnecessary.

Whereas by a resolve of Congress of the 5th of November last, all accounts for services done, or articles supplied to the armies of the United States in New-York and New-Jersey, and in the northern department, are to be presented to the commissioners of accounts for the respective armies; and so much thereof, as is approved by them, and confirmed by the respective generals, is ordered to be paid by their warrants on the paymaster, after the said commissioners have certified thereon, that the accounts and vouchers are returned to them by the persons receiving such warrants; and whereas it may frequently happen, that the absence or engagements of the generals aforesaid may occasion a delay in ordering the payment of such accounts, whereby individuals having demands against the United States, may suffer inconveniencies; it is therefore

Resolved, That the commander in chief in each department be impowered, when absence or hurry of business shall prevent his revising the accounts passed by the commissioners, to direct the paymaster to discharge such accounts upon certificates from the commissioners, observing to order the paymaster, when circumstances will permit, to lay the accounts and certificates before him, for his approbation, and to return them to the commissioners to be filed in their office.

Resolved, That if general Schuyler and general Gates be both absent from the northern department at the same

time that the paymaſter there ſhall receive this reſolution, the ſaid paymaſter be impowered and directed to diſcharge accounts upon the certificates of the commiſſioners, during ſuch abſence, and upon the return of either of the ſaid officers, to lay the accounts and certificates before him for his approbation.

The committee to whom was referred the letter from the council of ſafety of Pennſylvania, with the papers therein incloſed, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolution:

Whereas Congreſs are informed that certain tribes of Indians, living in the back parts of the country, near the waters of the Suſquehannah, who are within the confederacy, and under the protection of the ſix nations, the friends and allies of theſe United States, are upon motives friendly and peaceable, now on their way to Eaſton, in the ſtate of Pennſylvania; and whereas, ſuch may be the poor and neceſſitous circumſtances of theſe Indians, as to demand the attention of Congreſs; it is therefore

Reſolved, That the committee of Congreſs at Philadelphia, deliver to George Walton and George Taylor, eſquires, or to either of them, 1000 dollars; who are directed to purchaſe therewith, ſuch preſents as may be ſuitable for the ſaid Indians: and that one or both of them forthwith repair to Eaſton, and in the name of this Congreſs, inform the ſaid Indians, that although in the opinion of Congreſs, it is altogether improper for them to kindle a council-fire at that place, as they have already done the ſame at Albany, where by their commiſſioners, they hold their councils, and communicate every matter of importance to their good friends the ſix nations, and their allies, of which theſe tribes are a part, yet in regard to the good and peaceable conduct of theſe nations, and in conſideration of their wants, which this Congreſs are much inclined to relieve, and alſo in token of their friendſhip for them, as well as for all other Indians, who are at peace with theſe ſtates, they the ſaid George Walton and George Taylor, eſquires, are directed to deliver theſe preſents to them; and they are at the ſame time to ſignify to the ſaid Indians, that this Congreſs have an entire confidence that the ſame peaceable and friendly conduct will be obſerved by them, which they have hitherto regarded.

Ordered, That the ſaid meſſieurs Walton and Taylor be furniſhed with a copy of the foregoing reſolution for their direction.

Reſolved, That the pay of the commiſſary of military ſtores, to be appointed to take charge and care of the continental

continental ſtores in Maryland, be forty dollars per month:

That the delegates of Maryland direct the quartermaſter to look out for a proper houſe, wherein to depoſit the powder now in this town, belonging to the continent; and that they deſire the captain of the guard to ſee that a truſty guard be kept over the powder.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *January* 27, 1777.

Congreſs met, and adjourned to 10 o'clock to-morrow.

TUESDAY, *January* 28, 1777.

The delegates of Maryland having reported that they have provided a ſuitable houſe in the country for the reception of the public powder;

Reſolved, That the ſaid delegates be requeſted and impowered to agree with a captain and a proper number of men to guard the ſaid powder when removed.

Ordered, That the board of war ſend forward from this town to general Schuyler, with all poſſible expedition, twenty tons of cannon powder and ten tons of piſtol powder.

A number of letters and papers were laid before Congreſs and read; viz.

A letter of the 21ſt inſtant from the committee of Congreſs at Philadelphia;

One of the 17th from general Waſhington at Morriſtown;

One of the 19th from general Putnam at Princetown to lord Stirling;

One of the 22d, one of the 23d, and one of the 25th, from the committee of Congreſs at Philadelphia;

One of the 18th and one of the 20th from general Waſhington at Morriſtown;

One of the 13th and 15th from general Schuyler at Fiſh-Kill, incloſing a letter of the 3d to him from governor Trumbull;

One of the 22d and one of the 26th from the council of ſafety of Maryland;

One of the 6th from Joſeph Trumbull, eſquire, at Hartford;

One of the 18th from Ebenezer Hancock, eſquire;

One of the 12th from governor Trumbull, with a copy of the minutes of a committee appointed by the four New-England ſtates, who met at Providence on Wedneſday the 25th of December 1776, and ſat by adjournments to the 2d of January, 1777;

One of the 13th from the council of Maſſachuſetts-Bay;
One of the 24th from lieutenant colonel Kirmovan;
One of the 15th from brigadier De Roche Fermoy; and ſundry letters from French officers:

Ordered, That the letters from brigadier De Roche Fermoy, and from the other French officers, be referred to general Waſhington, to do therein what he ſhall think the good of the ſervice requires, without conſidering this reference as a recommendation in favour of any of the gentlemen applying.

That the letter from lieutenant colonel Kirmovan be alſo referred to general Waſhington.

A letter of the 12th from the committee of Frederick county, Maryland, and ſundry papers incloſed, were read.

A letter from Mr. Bingham at Martinique, and ſundry papers incloſed, were read;

Ordered, That a copy of the incloſed papers be delivered to the delegates of Maryland to be laid before the aſſembly of their ſtate; and that the letter and papers be referred to a committee of three:

The members choſen, Mr. Wilſon, Mr. Chaſe, and Mr. R. H. Lee.

Another letter from Mr. Bingham, recommending monſ. Celeron to the notice of Congreſs, was read and ordered to be referred to general Waſhington.

Reſolved, That Friday next be aſſigned for taking into conſideration the letters from the ſtate of Maſſachuſetts-Bay and governor Trumbull, and the minutes of the proceedings of the committee of the four New-England ſtates.

Reſolved, That the committee of Congreſs at Philadelphia be informed, that Congreſs from the committee's ſtate of things do not diſcern the neceſſity of moving the public ſtores from that city: but if any circumſtances ſhould hereafter ariſe to render ſuch removal proper, Congreſs deſire the committee may do therein what they ſhall think moſt conducive to the public ſervice.

Ordered, That the letter from general Schuyler be referred to the committee on the affairs of the northern department.

The ſecret committee informed Congreſs, that the brig Olive Branch, William Bayley maſter, was by the procurement of Francis Lewis laden at New-York with 718 barrels of flour, on account of the United States, as will appear by the bill of lading ſigned 26th February, 1776, directed to be delivered to Mr. Samuel Curſon at St. Euſtatia; that captain Bayley, contrary to his orders, proceeded to Occoys on the iſland of Hiſpaniola, and there put the cargo

cargo into the hands of monſ. Croix, who by ſeveral letters informed Mr. Curſon that he ſhould remit ſaid Curſon the proceeds of the flour to St. Euſtatia; and in a letter from ſaid Curſon, dated St. Euſtatia, 30th November 1776, is the following paragraph,—"I have not received one farthing on account of the brig Olive Branch's cargo, and God knows when I will:"—that captain Bayley, after landing the flour at Occoys, made a voyage for monſ. St. Croix, to France, and back to Occoys, where the ſaid St. Croix loaded the brig, and proceeded with her to this port, where they both are at this time with the veſſel, re-laden with proviſions, &c. and ready to depart for Occoys: that captain Bayley pretends he has ſold the brig to monſ. St. Croix, and has taken his ſingle promiſſary note for payment; but it is obvious they have been jointly trading on the public's capital, and defrauding both the public and the owners of the brig; that with the proceeds of the cargo ſold here they have re-laden the brig with proviſions, &c. and have a reſidue of 2500l. caſh in their hands:

Reſolved, That this matter be referred to the ſecret committee, who are impowered to do therein what they ſhall judge to be juſt and right, and conduce to the public intereſt.

Reſolved, That a committee of three be appointed to take into conſideration the ſtate of Georgia.

The members choſen, Mr. Wolcott, Mr. R. H. Lee, and Mr. Clark.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *January* 29, 1777.

A letter of the 26th from the committee of Congreſs at Philadelphia;

One of the 22d from general Waſhington at Morriſtown;

And one of the 25th from general Mifflin at Philadelphia; were read:

Ordered, That the letter from general Waſhington be referred to the committee of intelligence, to publiſh ſuch parts as they may think proper; and that they deliver it to the board of war, who are directed to report thereon.

Reſolved, That 80 dollars be advanced to monſ. Celeron, to bear his expences to general Waſhington.

Reſolved, That the treaſurer be directed to deſire ſuch of the ſigners of continental money belonging to this ſtate, as have diligently applied themſelves to this buſineſs, (excepting ſuch as may be field officers of the militia) to exert themſelves in ſupplying the treaſury: and that he

tranſmit a liſt of their names, and of the names of the ſuperintendants of the preſs, to the council of ſafety of Maryland, who are requeſted to excuſe them from military duty, while thus employed by Congreſs.

Reſolved, That Mr. Wilſon be added to the committee on the memorial of colonel Campbell, in the room of Mr. Roſs, who is abſent.

Reſolved, That the preſident inform the governor and council of Virginia, that Congreſs have not a ſufficient certainty, that it will be in their power to arm the 2d and 7th battalions ordered from that ſtate: and therefore requeſt the ſaid governor and council to ſend with all diſpatch, the arms belonging to the ſaid battalions, if it can be done conſiſtently with the ſafety of their ſtate.

Congreſs took into conſideration the report of the committee for Indian affairs, to whom was referred a letter from the commiſſioners of Indian affairs in the middle department, dated the 21ſt of September laſt at Pittſburg; whereupon,

Reſolved, That the commiſſioners for Indian affairs in the middle department, from the intelligence communicated to them, of the motions and preparations of ſome tribes of Indians, and from the diſpoſitions of others, well known to be hoſtile, had cauſe to apprehend that an attack upon Pittſburg, or invaſions into ſome parts of Virginia or Pennſylvania would be made by thoſe ſavages, and therefore acted prudently in calling in forces for protection and defence.

The committee of treaſury reported, that there is due to Thomas Smith, for ſundry proviſions, wood, &c. ſupplied the ſick, and other continental troops at Wilmington, 1316.55 dollars:

To monſ. Lotbiniere, a Canadian chaplain, for his pay and rations from the 10th of November, 1776, to the 10th of January, 1777, 82.60 dollars, to be paid to colonel Smith:

That there ſhould be advanced to William Sterret, on account of his expences in going to and from the paper Mill in Pennſylvania, to attend the making of paper for the loan-office certificates, 30 dollars; he to be accountable.

Ordered, That theſe ſums be paid.

Reſolved, That John Griffiths provide the ſick in the Hoſpital at Baltimore, with ſhirts and blankets; and that for this purpoſe he apply to the ſecret committee.

A petition from a number of the inhabitants of Weſtmoreland, and a letter from Thomas Creſſap, were read and referred to the committee on Indian affairs.

Reſolved,

Resolved, That the treasurer of the United States be directed to give order for the payment of 33,333.30 dollars to the state of Connecticut, out of the continental loan-office in that state, in payment of an equal sum advanced by governor Trumbull to Colonel Sheldon, at the request of general Washington, for raising and equipping a regiment of light horse; the said state to be accountable; and that the president acquaint general Washington with this resolution.

Resolved, That 450,000 dollars be advanced to general Mifflin for the public service; and that the treasurer be directed to give an order on the loan-office in the state of Pennsylvania for the payment of that sum.

Resolved, That doctor Mackenzie, who has the care of the sick in the hospital in Baltimore, be impowered to appoint a mate to assist him.

A letter from Carpenter Wharton was read, applying for an advance of a large sum of money; whereupon

Resolved, That the president inform Joseph Trumbull, esquire, commissary general, that there are various complaints against the conduct of Mr. Carpenter Wharton, his deputy: and desire him to enquire into the matter, and take such steps as he shall judge proper to prevent any loss accruing to himself or the public.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *January* 30, 1777.

The delegates from New-Hampshire produced credentials of their appointment, which were read, as follows:

"New-Hampshire. In the House of Representatives, December 24th, 1776. Voted, That colonel William Whipple, colonel Josiah Bartlett, and colonel Matthew Thornton be and they hereby are elected and appointed delegates to represent the state of New-Hampshire in the Continental Congress for the term of one year from the 23d day of January next; and that any one of them, in the absence of the others, have full power to represent this state; and that no more than two of them attend at one time.

"Sent up for concurrence. John Langdon, speaker.

"In Council, December 25, 1776. Read and concurred.

"Eben. Thompson, secretary.

"Copy, examined by Eben. Thompson, secretary."

Mr. Mann Page, a delegate from Virginia, attended and produced the credentials of his appointment, which were read as follows:

"Virginia,

"Virginia, ss. In the House of Delegates, December, 4, 1776. The house proceeded by ballot to the appointment of a delegate, to represent this state in general Congress, and the members having prepared tickets for the person to be appointed, and put the same into the ballot box; Mr. Jefferson, Mr. Curle, Mr. Tazewell, and Mr. Prentis, were appointed a committee to meet a committee to be appointed by the senate, and jointly with them to examine the ballot-boxes, and report to the house upon whom the majority fell.

"*Ordered*, That Mr. Jefferson acquaint the senate therewith.

"The committee then withdrew, and after some time returned to the house, and reported that they had met a committee from the senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of Mann Page, junior, of Spottsylvania, esquire:

"*Resolved therefore*, That the said Mann Page, esquire, be appointed a delegate, to represent this state in general Congress, in the room of George Wythe, esquire, who is nevertheless impowered to continue to act in Congress, until the said Mann Page shall take his seat therein.

"A copy. John Tazewell, C. H. D.

"In the Senate, December 4, 1776.

"The house proceeded by joint ballot, with the house of delegates, to the choice of a delegate to represent this state in general Congress, in the room of George Wythe, esquire, and the members having prepared their tickets, and deposited the same in the ballot-box, Mr. Bland, Mr. Lewis, and Mr. Cabell, were appointed a committee to meet the committee from the house of delegates in the conference chamber, and in conjunction with them to examine the joint ballots, and report the state thereof to the house; and having made their report, it appears, that Mann Page, junior, esquire, of Mansfield, hath the greatest number of votes on the ballot:

"*Resolved thereupon*, That the said Mann Page, junior, esquire, of Mansfield, be appointed a delegate to represent this state in general Congress, in the room of George Wythe, esquire:

"A message from the house of delegates by Mr. Jefferson, that they have come to a resolution, authorising George Wythe, esquire, to retain his seat in Congress, until Mann Page, junior, esquire, shall take his seat therein, to which they desire the concurrence of the senate, and he delivered the same, and then withdrew:

"And

" And the ſaid reſolution being read,

" *Reſolved*, That the ſenate do concur with the houſe of delegates therein, and that Mr. Holt acquaint them therewith. A copy from the journals, John Pendleton, C. S."

The board of war brought in a report which was taken into conſideration; whereupon

Reſolved, That the reverend Samuel Kirkland be allowed the ſalary of 444 dollars, for the current year, to commence from the 11th day of November laſt, as miſſionary to the Indians, and that the ſum of 300 dollars be paid him as a compenſation for his extra-ſervices and expences as chaplain and interpreter:

That the ſalary of Mr. James Deane, Indian interpreter, be increaſed to 300 dollars for the current year, to commence the 23d of November laſt:

That the pay of Thomas Spencer, blackſmith among the Indians, mentioned in general Schuyler's letter of the 7th inſtant, be referred to the commiſſioners of Indian affairs in the northern department, who are to make ſuch addition thereto, as they ſhall think proper:

That the ſalary of Mr. Commiſſary Aylett and Jonathan Trumbull, eſquire, deputy paymaſter general of the northern department, be augmented to the ſum of 75 dollars per month each:

That 200 dollars be paid to Joſiah Throop, for his trouble and expence in bringing intelligence of a public nature, relative to the affairs of Nova-Scotia, and for other ſervices.

Reſolved, That Congreſs will on Saturday next take into conſideration the moſt ſpeedy and effectual means to furniſh the new levies with arms.

Reſolved, That a ſtanding committee, to conſiſt of five members, be appointed to hear and determine upon appeals brought againſt ſentences paſſed on libels in the courts of Admiralty in the reſpective ſtates, agreeable to the reſolutions of Congreſs; and that the ſeveral appeals, when lodged with the ſecretary, be by him delivered to them for their final determination:

The members choſen, Mr. Wilſon, Mr. Serjeant, Mr. Ellery, Mr. Chaſe, and Mr. Sherman.

Reſolved, That 300,000 dollars be ſent to Jonathan Trumbull, eſquire, deputy paymaſter general of the northern department:

That 800 dollars be advanced to the delegates of Virginia, for the uſe of B. Harriſon, eſquire, deputy paymaſter general in the ſouthern department; who is to be accountable:

Reſolved,

Reſolved, That 166,666.60 dollars be advanced to the ſtate of Maſſachuſett's Bay, by the continental treaſurer's order on the loan-office in that ſtate for the ſaid ſum, the ſaid ſtate to be accountable.

The committee to whom the report on impreſſing carriages was re-committed, brought in another report, which was taken into conſideration; and after debate

Reſolved, That the ſame be re-committed, and that three members be added to the committee:

The members choſen, Mr. Chaſe, Mr. Sherman, and Mr. Wilſon.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January* 31, 1777.

Congreſs being informed that general Armſtrong is come to town with deſign to lay before them ſome matters of conſequence:

Ordered, That the board of war confer with him, and that they meet him this evening at their office.

Reſolved, That Samuel Stringer Coale, and Rinaldo Johnſon be appointed ſigners of the bills of credit in addition to thoſe already appointed.

A petition from John Darrel, and Luther Martin was read, ſetting forth, that the appeal againſt the decree on the libel "Job Pierce, &c. againſt the brig Phœnix," has by miſtake been heard and determined by a different committee from that appointed to hear the ſame, and praying that the judgment may be ſet aſide, and a new hearing granted; whereupon

Reſolved, That the judgment paſſed on this appeal be ſet aſide for the reaſon above mentioned; and that the hearing and determining the ſaid appeal be referred to the ſtanding committee of appeals.

A petition and remonſtrance from a number of inhabitants of Somerſet and Worceſter counties, in the ſtate of Maryland, was read:

Ordered, That the ſame be referred to a committee of three:

The members choſen, Mr. S. Adams, Mr. Wilſon, and Mr. R. H. Lee.

Reſolved, That a committee of four be appointed to conſider what honours are due to the memory of the late general Warren, who fell in the battle of Bunker's-Hill, the 17th of June 1775; and of general Mercer, who died on the 12th inſtant, of the wounds he received on the 3d of the ſame month, in fighting againſt the enemies of American liberty, near Princeton; The

The members chosen, Mr. Rush, Mr. Heyward, Mr. Page, and Mr. S. Adams.

A memorial from Nathaniel Rumsey, late a captain in the first battalion of Maryland regulars, was read:

Ordered, That it be referred to the board of treasury.

Ordered, That the secret committee send no more of the scarlet cloth in their possession, to Virginia, than will be sufficient for facing of the cloaths ordered for the Virginia troops.

The delegates of Pennsylvania having recommended

Jacob Weaver for captain,

Edward Cowan for first lieutenant,

William Feltman for second lieutenant, and

Andrew Bachenstore for ensign, of the company of infantry ordered to be raised on the 18th instant:

Resolved, That commissions be granted to them accordingly.

Resolved, That 1400 dollars be advanced to captain Jacob Weaver, for the purpose of raising his company; he to be accountable.

Congress resolved itself into a committee of the whole, to take into consideration, the letter of the 12th from governor Trumbull, and the minutes of the committees from the four New-England states; and after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee reported from the committee, that they have had under consideration the matters to them referred, but not having come to a conclusion, desired leave to sit again:

Resolved, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the letter from governor Trumbull, and the proceedings of the committees from the four New-England states.

Ordered, That the secret committee deliver to colonel Gist, of Maryland, 1500 yards of linen, or as much as will be sufficient for 600 soldiers shirts, for the use of the soldiers of his battalion.

The committee of treasury reported that there is due:

To doctor Samuel Mackenzie, for sundry medicines purchased by him for the use of the hospital in Baltimore, 86.74 dollars:

To doctor John Hindman, for sundry medicines supplied by him for the use of colonel Richardson's battalion of maryland forces, 20.6 dollars:

To captain Henry Dearborn, for fire arms belonging to the privates of his company, and which were lost at the attack of Quebec, and for his extraordinary services, 260.60 dollars:

Ordered,

Ordered, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February* 1, 1777.

A letter of the 28th January from James Scott, captain of a company of volunteer militia from Fauquier county in Virginia, was read, wherein he informs Congress that he has raised a volunteer company, consisting of a captain, two lieutenants, an ensign, four serjeants, four corporals, a drum, a fife, and sixty-four privates, to serve where ordered three months from the time of their march, and desires orders and one month's advance:

Resolved, That captain Scott, with his company, be taken into continental pay on the terms proposed:

That 700 dollars be advanced to captain James Scott, for the use of the said company; captain Scott to be accountable:

That the board of war direct captain Scott to march immediately with his company and join general Washington.

The committee to whom was referred the petition and remonstrance from the inhabitants of Somerset and Worcester counties in the state of Maryland, brought in a report, which was taken into consideration; whereupon

Resolved, That the said petition and remonstrance, with the depositions accompanying the same, be forthwith transmitted to the general assembly of the state of Maryland:

That the said general Assembly be earnestly requested to send a sufficient number of their artillery and militia effectually to suppress the tories in the counties of Somerset and Worcester, and to seize and secure the persons mentioned in a list to be transmitted with these resolves, and all others in the said counties who shall appear to have been the leaders of the tory faction there:

That it be recommended to the general assembly aforesaid to direct that a day be given to all the inhabitants of the said counties to assemble at appointed places, and take the oath of allegiance required by the said state, and that all who shall refuse or neglect so to do be disarmed:

That general Smallwood be, and he is hereby, required to assist in executing the orders of the said assembly for the purpose aforesaid:

That this Congress will afford one battalion, or more if requested by the said assembly, for the said purpose:

That the said assembly be requested to cause all offenders as aforesaid to be brought to immediate trial agreeably to the laws of the said state. *Ordered*,

Ordered, That the president write to general Smallwood, and inform him it is the direction of Congress that he call to his assistance any continental officers and troops he shall think proper.

Resolved, That Saint George Peale be appointed a signer of the bills of credit, in addition to those already appointed.

Congress proceeded to the election of a commissary of military stores in Maryland, and the ballots being taken,

Mr. Saint George Peale was elected.

The committee on the northern department brought in a report, which was taken into consideration; whereupon

Resolved, That Congress approve of general Schuyler's proposal for purchasing the cloathing and arms of a troop of horse formerly raised in Schenectady, mentioned in his letter of the 13th of January:

That the paymaster in the northern department be directed to render a particular account to Congress of the sums of money that have been paid into his hands in specie, and of his expenditure of the same.

Resolved, That the second paragraph of the report be postponed for farther consideration.

The several matters to this day referred being postponed adjourned to 10 o'clock on Tuesday next.

TUESDAY, *February* 4, 1777.

Mr. John Adams and Mr. Lovell, delegates from Massachusetts-Bay, attended and took their seats.

Mr. Burke, a delegate from North-Carolina, attended and produced the credentials of his appointment, which were read as follows:

"North-Carolina. In Congress, December 20, 1776. *Resolved*, That William Hooper, Joseph Hewes, and Thomas Burke, esquires, be, and they are hereby, appointed delegates to attend the Congress of the United States of America in behalf of this state, until such time as the general assembly shall direct otherwise; and they are invested with such powers as may make any act done by them or any of them, or consent given in the said Congress in behalf of this state, obligatory upon every inhabitant thereof.

"By order, Cornelius Harnet, president.

"James Green, junior, secretary."

A letter of the 30th of January from the committee of Congress at Philadelphia;

One of the 26th of the same month from general Washington at Morristown; and

One of the 21st from Daniel Joy at Philadelphia to the committee of Congress; were read.

A letter

A letter of the 23d of December from Cornelius Harnet, preſident of the convention of the ſtate of North-Carolina, together with a memorial from the ſaid convention, and a depoſition of Emperor Moſely, reſpecting the capture of the brig Joſeph, by the ſchooner Eagle, Braſilla Smith, commander, and an invoice of the cargo on board the ſaid brig, at the time of the capture, were laid before Congreſs and read:

Ordered, That they be referred to a committee of three, and that the letters on this ſubject formerly committed to the marine committee, be referred to this committee:

The members choſen, Mr. Wilſon, Mr. Hall, and Mr. Serjeant.

A letter of the 3d from the council of ſafety of Maryland, was read.

Reſolved, That Joſeph Gaither be appointed a ſigner of the bills of credit, in addition to thoſe already appointed.

Ordered, That the letters from the committee of Congreſs, general Waſhington, and Daniel Joy, be referred to the board of war.

A memorial from doctor Thomas Young was read:

Ordered, That it be referred to the medical committee.

A memorial from Nathaniel Donnel was read:

Ordered, That it be referred to the board of treaſury.

Reſolved, That it be recommended to the council of ſafety of Maryland, to cauſe the tories in the counties of Somerſet and Worceſter to be diſarmed as quickly as poſſible; and the proviſions to be removed from thoſe counties, that have been collected there for public uſe.

The committee on the ſtate of Georgia, brought in a report, which was read.

Reſolved, That Mr. Burke of Jamaica, who has applied to Congreſs to be taken into the ſervice of the United States, be referred to general Waſhington:

Reſolved, That doctor Burke be added to the medical committee; and that he be appointed a member of the marine committee in the room of Mr. Hooper.

Ordered, That Mr. Hooper have leave to return home.

Congreſs reſolved itſelf into a committee of the whole, to take into conſideration the letter from governor Trumbull, and the proceedings of the committees from the four New-England ſtates, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the matters to them referred, but not having come to a concluſion, deſired leave to ſit again:

Reſolved, That Congreſs will to-morrow reſolve itſelf into

into a committee of the whole, to conſider farther the letter from governor Trumbull, and the proceedings of the committees from the four New-England ſtates.

A letter of the 1ſt from the committee of Congreſs at Philadelphia, was read.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *February* 5, 1777.

A letter of the 2d from the committee of Congreſs at Philadelphia, was read:

Alſo a reſolution entered into by the officers of the Baltimore town battalion, was laid before Congreſs:

Ordered, That it be referred to the board of war.

A letter from general Putnam, with a number of papers encloſed, and a letter from the North-Carolina priſoners were read:

Ordered, That they be referred to the board of war.

Reſolved, That Mr. Hudſon, the paymaſter in Baltimore, be directed to ſettle with colonel Giſt, and pay ſuch of his men, as are inliſted to ſerve three years, or during the war, up to the 10th of this month, and alſo to pay the Virginia troops on their march to general Waſhington, the arrearages of pay due to them; and that he tranſmit an account of what he pays to the paymaſter general, in order to regulate the future pay of the ſaid troops.

Reſolved, That 20,000 dollars be advanced to Mr. Jonathan Hudſon, for the public ſervice; he to be accountable.

A letter from Henricus Godet, of Euſtatia was read:

Ordered, That it be referred to the ſecret committee, and that they return an anſwer.

A memorial of Gotleib Kloſe, a native of Sileſia, and late a miſſionary from the united brethren to the negroes in the iſland of Jamaica was read; ſetting forth, that he was taken on his paſſage to Briſtol, in the ſnow Thomas, T. Nicholſon maſter, by the continental cruiſer Andrew Doria, and praying that his effects, conſiſting of the tools of his trade and cloathing may be reſtored to him; whereupon

Reſolved, That the prayer of the memorial be granted.

A petition from Edward Southouſe was read:

Ordered, That it be referred to a committee of three:

The members choſen, Mr. J. Adams, Mr. Sherman, and Mr. Chaſe.

A petition from the ſhipwrights at Fell's Point was read:

Ordered

Ordered to lie on the table.

Resolved, That a brigadier be appointed for the troops in North-Carolina, and that his rank be determined when the other general officers for the army are elected;

The ballots being taken,

Francis Nash, esquire, was elected.

The marine committee having recommended captain Henry Johnson to the command of the Lexington, in the room of captain Fulford, who, as they inform, has declined:

Resolved, That a commission be granted to him accordingly.

Resolved, That Elijah Bowen be appointed first lieutenant of the said brig Lexington.

Resolved, That brigadier Moore be directed to detach into the different parts of North-Carolina, recruiting officers, and that he be careful to select such for that purpose as are well acquainted and esteemed in that state:

And in order to expedite this important purpose of recruiting the army,

Resolved, That brigadier Nash use his personal influence in the western parts of that state, and by every means in his power stimulate the inhabitants to inlist, and urge the recruiting officers to be active in their duty, as it is a matter of much importance to the common cause that the six regiments formerly raised in North-Carolina should be filled up, and the three lately ordered, recruited to their full compliment, before the 15th day of March next.

Resolved, That brigadiers Moore and Nash, proceed with the nine continental regiments raised and directed to be raised in the state of North-Carolina, to join general Washington; and that they begin the march from South-Carolina of such of the said nine regiments as shall be then there, on the 15th day of March next, and of such continental troops as shall be in the state of North-Carolina, as soon as they shall be joined by the regiments which are ordered as aforesaid from South-Carolina. That the troops be marched by regiments or parts of regiments, as the commanding officer shall judge best.

Resolved, That the governor of the state of North-Carolina, and the executive powers of the several states, through which such troops shall march on their way to head quarters, be requested to render them every assistance in their power, to expedite their progress;

That brigadier Moore be impowered to draw upon the deputy paymaster general of the southern department, for such sums of money as shall be necessary to procure supplies,

ſupplies for the ſaid troops, until they join the continental army; and that all commiſſaries and quartermaſters in the continental ſervice, who ſhall be in the ſtates through which they paſs, contribute their beſt endeavours to aid in carrying this reſolve into execution with all poſſible expedition.

The board of war, who were directed to confer with general Armſtrong reported, that they have had a conferrence with him; that the conference turned upon various and important ſubjects, relative to the raiſing the new army, ſupplying them with arms, ammunition, cloathing, proviſions, and medicines:

Ordered, That the board of war digeſt the ſaid conference, and bring in a proper report on the ſeveral matters mentioned, ſaving what relates to medicines.

Reſolved, That the medical committee be impowered to employ a ſuitable perſon in each of the ſtates, to purchaſe ſuch medicines as they ſhall direct, for the uſe of the army, which can be procured at any reaſonable rates.

Ordered, That the ſaid committee enquire what is become of the medicines which doctor Morgan took from Boſton, and which doctor Stringer bought for the northern army, and take meaſures to have them ſecured and applied to the uſe of the army.

Reſolved, That three members be added to the committee on Indian affairs;

The members choſen, Mr. Page, Mr. Lovell and Mr. Burke.

Reſolved, That Mr. Thomas Cummings be appointed and impowered to ſupply the continental troops in the ſtate of Maryland with rations on the moſt reaſonable terms he can, till the farther orders of Congreſs.

Reſolved, That William Aylett, eſquire, deputy commiſſary general, be directed forthwith to purchaſe, with as much ſecrecy as poſſible, and lay up in proper magazines, convenient to water carriage, under the care and management of truſty ſtorekeepers, a quantity of good merchantable Indian corn, not exceeding ten thouſand barrels.

Reſolved, That 500,000 dollars be advanced to the ſtate of North-Carolina, upon a warrant from the governor of the ſaid ſtate for that ſum, the ſaid ſtate to be accountable.

Reſolved, That the commiſſioners at the court of France be directed to uſe their utmoſt endeavours, to ſend without delay 80,000 blankets, 40,000 complete ſuits of cloaths, for ſoldiers, of green, blue, and brown colours, with ſuit-

able facings, and cloth of the same colours, with trimming sufficient for 40,000 suits more, 100,000 pair of stockings, fit for soldiers, 1,000,000 of flints, and 200 tons of lead, in armed vessels, to such ports of the United States, as the secret committee shall direct; that they pledge the faith of the United States for complying with their contracts; that the several States be requested to order their armed vessels into the service of the United States, under the direction of the secret committee; that they be allowed a reasonable compensation for the use thereof, with the appraised value of such as may be lost: and that one of the new continental frigates, with the armed vessels which may be furnished by the respective states, be employed by the secret committee, to export produce and import military stores for the next campaign.

Resolved, That a committee of three be appointed to consider the extraordinary service of the reverend Mr. Caldwell, of New Jersey, and report what compensation should be made him:

The members chosen, Mr. Clarke, Mr. Hall, and Mr. Page.

Congress resolved itself into a committee of the whole, to consider the letter from governor Trumbull, and the proceedings of the committees from the four New-England states; and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matters to them referred, and have come to a resolution thereon, which he was ordered to deliver when Congress is ready to receive it:

Ordered, That it be now received.

The report from the committee of the whole Congress being read,

Ordered, That the consideration thereof be postponed.

Ordered, That the proceedings of the committees from the four New-England states, which were under the consideration of the committee of the whole Congress, be referred to a committee of five:

The members chosen, Mr. R. H. Lee, Mr. Wilson, Mr. Chase, Mr. J. Adams, and Mr. Sherman.

Resolved, That the warrant of general Washington, for 5000 dollars, in favour of colonel Hartley, be paid and charged to the account of the paymaster general, and that an account thereof be transmitted to the said paymaster general.

Resolved, That the arrears of pay due to brigadier Armstrong's brigade major, be paid, and charged to the account

count of the paymaſter general, and that he be informed thereof.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to morrow.

THURSDAY, *February* 6, 1777.

Reſolved, That two members be added to the board of treaſury:

The members choſen, Mr. Page and Mr. Elmer.

A number of copies of the addreſs from the convention of New-York, to their conſtituents, tranſlated into the German language, were ſent to Congreſs:

Ordered, That they be delivered to the board of war, who are directed to have them diſtributed.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That colonel H. Hollingſworth continue to ſupply the troops paſſing through the Head of Elk with proviſions at the uſual rates:

A motion being made and ſeconded,

Ordered, That it be referred to a committee of five:

The members choſen, Mr. J. Adams, Mr. R. H. Lee, Mr. Serjeant, Mr. Sherman, and Mr. Heyward.

Reſolved, That 1400 dollars be advanced to Mr. Robert Cummings for public ſervice; he to be accountable.

Reſolved, That 6000 dollars be advanced to brigadier Smallwood, for the purpoſe of paying the arrearages due to his late battalion; he to be accountable.

Ordered, That the ſecret committee deliver to colonel Stone, for the uſe of his battalion, 1050 yards of linen and cloth proper for facings for his ſoldiers cloaths.

Congreſs took into conſideration the report of the committee on the ſtate of Georgia; whereupon

Reſolved, That a ſupply of arms and cloathing for the continental battalions in Georgia ought to be furniſhed as expeditiouſly as poſſible:

And as that ſtate is in the neighbourhood of numerous and powerful nations of Indians, it is an object of important conſideration to cultivate their friendſhip and ſecure peace with them; and this is rendered more neceſſary by the contiguity of thoſe nations to the colonies of Eaſt and Weſt Florida, from whence the agents of the king of Great-Britain are perpetually ſtimulating the ſavages to make war upon the people of Georgia; therefore

Reſolved, That the ſecret committee be directed to procure for the defence of Georgia a ſupply of arms and cloathing for the continental forces raiſed as the quota of

that ſtate, and that they alſo procure goods for carrying on the Indian trade to the amount of 10,000 dollars, in addition to the 20,000 dollars advanced by the ſecret committee to Mr. Gwinnet for that purpoſe, which goods may be delivered either at Charles Town in South-Carolina, or in Georgia, for the uſe of the continental Indian commiſſioners of the ſouthern department, to be employed in ſecuring the friendſhip of the ſouthern Indians.

Reſolved, That as ſoon as the artillery companies already ordered to be raiſed in Georgia are completed, an additional company of artillery be raiſed on the continental eſtabliſhment for the ſtate of Georgia, to conſiſt of one captain, two lieutenants and fifty privates.

Ordered, That the board of war direct colonel Buchanan, whoſe battalion is under orders to march to general Waſhington, to proceed immediately with his battalion to Somerſet and Worceſter counties, to ſuppreſs the inſurgents in thoſe parts; and that the ſaid board haſten with all expedition the march of colonel Giſt with his battalion.

The committee appointed to conſider the proceedings of the committees from the four New-England ſtates, brought in a report, which was read:

Ordered to lie on the table.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *February* 7, 1777.

A letter of the 6th from the council of ſafety of Maryland, incloſing a depoſition of William Patterſon, was read.

Reſolved, That the commanding officer of the 2d Virginia battalion in Baltimore be directed to proceed with the troops under his command to Somerſet and Worceſter counties on the eaſtern ſhore, to aſſiſt in quelling and bringing to juſtice the inſurgents in thoſe parts, and having performed that buſineſs, to proceed immediately with his troops to general Waſhington.

Ordered, That the board of war ſupply the troops of the 2d Virginia battalion with arms and neceſſary accoutrements.

Mr. Buller Clairbone, Mr. Joſeph Scott, and Mr. Spotſwood Dandridge, who were appointed captains of the artillery battalion ordered to be raiſed in Virginia, having declined that ſervice, Congreſs proceeded to the election of three captains to ſupply their places, and the ballots being taken,

Mr. Anthony Singleton, Mr. John Winſter, and Mr. Jacob Walker were elected.

Reſolved, That an extract of governor Trumbull's letter of

of the 12th of January, so far as it relates to the pay of the Connecticut light horse who served last campaign, be transmitted to general Washington, and that he be directed to settle their pay, and give orders for the payment.

Resolved, That 1100 dollars be advanced to the committee of secret correspondence for public service; they to be accountable.

Resolved, That Monday se'nnight be assigned for electing general officers.

Resolved, That Zachariah Maccubin be appointed a signer of the bills of credit, in addition to those already appointed.

Mr. Lux and Mr. Purviance, who were appointed by the board of war to examine the accounts of Thomas Nichols, having reported, that it appears by the treasurer's books, that the said Nichols received 533.30 dollars, and that he has paid 54.65 dollars, and that there is a balance of 478.55 dollars due from him:

Ordered, That Mr. Lux and Mr. Purviance be requested to receive from the said Nichols, the said balance of 478.55 dollars.

Ordered, That the said Thomas Nichols, alias Dudley, who is in custody on suspicion of mal-practices, be confined till farther orders.

The committee of treasury reported, that there is due to Gerard Hopkins, for six chairs and a pine table for the use of the treasury office, 24.60 dollars:

To Anthony Dearing, for the hire of his team 14 days in the service of the second Virginia battalion, on their march to join general Washington, 35 dollars:

To Francis Lewis, esquire, for cash he paid ensign John Gaffway, for the support of sick soldiers on the road, belonging to the battalion late colonel Smallwood's, 6 dollars:

To James Calhoun, esquire, chairman of the committee of observation of Baltimore county, for cash he paid to Mr. James Buchanan, for the reward of 45 pounds for taking up Alexander M'Cleod, Daniel M'Cleod, and Murdock M'Castle; three of the North-Carolina prisoners, who broke jail, and for the expences of bringing them from Broad Creek in Sussex county to Baltimore, the sum of 215.52 dollars:

That they have examined the accounts of John Montgomery, and Jasper Yates, esquires, commissioners of Indian affairs in the middle department, for the pay and part rations of the militia of West Augusta county, in Virginia, and Westmoreland county in Pennsylvania, who

marched to Pittſburg, previous to the late Indian treaty, for their ſervices 21 days; and Mr. Yates's expences for that time, amounting to £ 1505 13s. 8d. That the ſaid commiſſioners expended on their return to Pittſburg with the Indian chiefs who viſited Congreſs at Philadelphia, £.92 15s. 10d. the whole amounting to £.1598 9s. 6d. of which they received on account of Indian expences, the ſum of £ 100; and that there remains a balance due to them of £.1498 9s. 6d. equal to 3995.84 dollars:

That there ſhould be paid to the honourable Roger Sherman, eſquire, for the hire of Edward Whitmore's waggon, and two horſes taking ſeven Indians of the Penobſcot tribe, from New-Haven to Marinec, £.6 8s. and for a horſe belonging to John Pierpont, taken by the enemy in the above ſervice, £ 10, both ſums making £.16 8s. lawful money of New England, equal to 54.60 dollars:

That there is due to Robert Aitkin, for paper, inkſtands, quills, ſealing wax, &c. for the uſe of the treaſury office, the ſum of 37.41 dollars:

Ordered, That that the ſaid ſums be paid.

Reſolved, That two members be added to the committee for printing the journals:

The members choſen, Mr. Whitherſpoon and Mr. Lovell.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February* 8, 1777.

A letter of the 4th from the committee of Congreſs at Philadelphia, one of the 31ſt of January from general Waſhington, at Morris-Town; one of the 3d inſtant from governor Livingſton at Haddonfield, New-Jerſey; one of the 31ſt of January from meſſ. Walton and Taylor at Eaſton; one of the 23d of January from general Schuyler at Albany, with ſundry papers incloſed; and one of the 24th of the ſame month from D. Waterbury; were read:

Ordered, That they be referred to the board of war.

Reſolved, That Dennis Griffith be appointed a ſigner of the bills of credit, in addition to thoſe already appointed.

The committee of treaſury reported, that they have examined the account of George Lindenberger, for conveying the Heſſian officers and their ſervants, priſoners from Baltimore town to Dumfries in Virginia; and that his account amounts to the ſum of £.192 12s. 3d. of which he received of the treaſurer, £.112 10s. and that there is due to him a balance of £.49 11s. 9d. equal to 132.21 dollars:

Ordered, That the ſaid account be paid.

Reſolved,

Resolved, That 12,600 dollars be paid to George Noarth, esquire, and charged to the account of William Palfrey, esquire, paymaster general, the same being in full of an order in his favour, drawn by the said William Palfrey, dated Newton, January 22, 1777.

Resolved, That 200,000 dollars be sent to the committee of Congress in Philadelphia for public service; they to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *February* 10, 1777.

A letter of the 8th from the council of safety of Maryland, with sundry papers inclosed, relating to the insurrection on the eastern shore of Maryland; one of the 3d from Southy Simpson of Accamac; and one the 11th of December last from general Lee at Morristown, were read:

Ordered, That the letter from Southy Simpson be referred to the board of war.

Resolved, That it be recommended to the council of safety of Maryland, to prevent the sailing of all provision vessels, while the enemy's ships of war infest the bay, as there is the greatest reason to apprehend they cannot avoid falling into the possession of the enemy.

Resolved, That 400 dollars be advanced to James Betton, towards defraying the expences of carrying money to the eastern states, he to account with the state of New-Hampshire.

Resolved, That the committee of Baltimore be desired to send William Pigot, a prisoner, under a trusty guard to the town of York, in Pennsylvania, and deliver him with this order to the committee of York Town, who are desired to have the said William Pigot safely and securely confined in prison till farther orders.

A petition from colonel Duggan was read:

Ordered, That it be referred to the board of treasury.

A petition from Timothy Folger was read:

Ordered to lie on the table.

Ordered, That the board of war inform brigadier Smallwood by letter, that Congress have ordered such a number of troops as they judge necessary for suppressing the insurgents on the eastern shore of Maryland, and direct him to order the officers employed on the recruiting service, to apply themselves diligently to that business.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY,

TUESDAY, *February* 11, 1777.

A letter of the 6th from general Mifflin was read; whereupon

Reſolved, That 450,000 dollars be ſent to general Mifflin in lieu of a like ſum ordered to be paid him by a draught on T. Smith, eſquire, commiſſioner of the loan-office, in the ſtate of Pennſylvania; and that the board of treaſury uſe their utmoſt endeavours in preparing and forwarding this ſum.

Reſolved, That a committee of ſeven be appointed to deviſe ways and means of ſupporting the credit of the continental currency, and ſupplying the treaſury with money:

The members choſen, Mr Harriſon, Mr Burke, Mr. Sherman, Mr. Chaſe, Mr. Ellery, Mr. Middleton, and Mr. Brownſon.

Reſolved, That James Franklin and William Gibſon be appointed ſigners of the bills of credit, in addition to thoſe already appointed.

Reſolved, That four members be added to the ſalt-petre committee:

The members choſen, Mr. Page, Mr. Thornton, Mr. Elmer, and Mr Burke.

The board of treaſury, to whom the petition of colonel Duggan was referred, brought in a report which was taken into conſideration; whereupon

Reſolved, That ſo much of the ſaid petition as relates to the pay and ſubſiſtence of colonel Duggan be referred to the commanding officer in the northern department.

Information being given to Congreſs, that ſundry officers complain of the conduct of colonel Hauſſegger;

Ordered, That the board of war enquire into the nature of the charges againſt colonel Hauſſegger, and tranſmit the ſame to general Waſhington, with the names of the informants and witneſſes to ſupport the charges, and deſire him to take ſpeedy and effectual meaſures for bringing the ſaid colonel Hauſſegger to trial.

The committee of treaſury reported, that there is due to captain William Galbraith, for the hire of a guard on the Carolina priſoners in Baltimore, the ſum of £.47 5*s*. 7*d*. and for the allowance to priſoners being 13 in number, 17 days, from the 25th of January to the 11th of February incluſive, at 15*s*. per week, £.23 13*s*. 5*d*. both ſums being £.70 19*s*. equal to 189.18 dollars:

To Thomas Rutter, for the expences of his guard of 11 men, himſelf included, in conducting priſoners from Baltimore to Leeſburg, 70.43 dollars:

To

To William Lavely, inn keeper, for entertaining Heſſian officers and their ſervants while in Baltimore, 40.12 dollars:

To Charles Jones, quartermaſter of the 7th Virginia regiment, for the hire of two teams, in bringing baggage to Baltimore, 73,55 dollars:

Ordered, That that the ſaid accounts be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *February* 12, 1777.

A letter of the 6th from the council of ſafety of Pennſylvania was read;

Ordered, That it be referred to the board of treaſury.

Reſolved, That John Barney and Hans Creery be appointed ſigners of the bills of credit, in addition to thoſe already appointed.

Reſolved, That a committee of three be appointed to conſider the moſt effectual means of diſcouraging and preventing deſertions from the army;

The members choſen, Mr. Chaſe, Mr. Serjeant, and Mr. R. H. Lee.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That a copy of the letter from Southy Simpſon, written by direction of the committee of Accamac and Northampton counties, in Virginia, be ſent to the governor and council of that ſtate; and that they be deſired to ſtation in thoſe counties two companies of the troops raiſed for the particular defence of that ſtate; and in caſe ſuch companies cannot be ſpared, brigadier Lewis is directed to ſend over two companies of continental troops.

Ordered, That the ſecond paragraph in the report be committed to the committee on deſertions.

Ordered, That brigadier Waterbury be referred to the commiſſioners for ſettling the continental accounts in the eaſtern deparment, for a ſettlement of his accounts of monies expended on account of the intended expedition againſt the tories on Long-Iſland.

Reſolved, That general Schuyler be impowered to make the moſt advantageous uſe of the ſalt ſprings mentioned in his letter of the 23d of January laſt; to employ proper perſons ſkilled in making ſalt, and to purchaſe boilers and other things neceſſary for the purpoſe:

That ſuch parts of the ſaid letter as relate to Indian affairs, be referred to the committee on Indian affairs.

Reſolved, That general Waſhington be impowered to ſettle all matters of rank and pay among the officers of the

the Virginia and Maryland regiments, and to fill up and date their commiſſions as he ſhall think juſt and proper; and that he alſo ſettle any diſputes that may ariſe in the army reſpecting rank.

Reſolved, That 8000 dollars be advanced to Mr. Thomas Cummins, commiſſary of proviſions, for the purpoſe of ſupplying the troops going on the expedition to Somerſet and Worceſter counties; and 1,500 dollars to colonel Henry Hollingſworth, for ſupplying the troops marching through the Head of Elk to join general Waſhington:

That 6,000 dollars be advanced to colonel M'Clenaghan, of the 7th battalion of Virginia troops, for the purpoſe of re-inliſting his men for three years, and recruiting his battalion.

Ordered, That the medical committee write to general Waſhington, and conſult him on the propriety and expediency of cauſing ſuch of the troops in his army, as have not had the ſmall-pox, to be inoculated, and recommend that meaſure to him, if it can be done conſiſtent with the public ſafety, and good of the ſervice.

Ordered, That Mr. Babcock who brought a letter from colonel Stewart, at Lebanon in Connecticut, reſpecting cannon, and other public buſineſs, be paid as an expreſs.

The committee of treaſury reported that there is due to Charles Jones, quartermaſter of the 7th Virginia regiment, for forage ſupplied by him to the waggon horſes attending the ſaid regiment on their march to Baltimore, 59.41 dollars:

That they have examined the accounts of William Bauſman, barrackmaſter at Lancaſter, being for ſundry ſupplies of wood, &c. and for his and his ſon's pay, amounting to £.773 1*s*. 10*d*. of which he received £.500 from the committee of Lancaſter county, and £.30 from the ſtate of Pennſylvania, and there remains due to him a balance of £.243 1*s*. 10*d*. equal to 648.22 dollars:

Ordered, That the ſaid accounts be paid.

The committee on the northern department laid before Congreſs a letter from colonel Stewart, who was ſent agreeable to the orders of Congreſs, to procure cannon at Mr. Livingſton's and Saliſbury foundries, wherein he informs that there is a quantity of cannon at Saliſbury foundry, which the governor and council of Connecticut are willing to diſpoſe of to the continent, but demand the price of ſeventy pounds lawful money per ton for 18 and 9 pounders, and eighty pounds lawful money per ton for 6, 4, and 3 pounders;

Ordered, That the committee aforeſaid write to governor Trumbull and inform him of the contracts entered into

to by Congreſs; that they ſtate to him the prejudice it will do thoſe contracts, and the ill effects that muſt enſue to the continent, ſhould ſo high a price be given for theſe cannon, and therefore requeſt him to lend the cannon, which are much wanted for the defence of Ticonderoga, and aſſure him Congreſs will return them, or others in lieu of them as ſoon as poſſible.

Reſolved, That Clement Brook and William Hammond, be appointed ſigners of the bills of credit in addition to thoſe already appointed.

The committee appointed to conſider the proceedings of the committees from the four New-England ſtates, made a report, which, with the report of the committee of the whole, was taken into conſideration; and after debate,

Reſolved, That the farther conſideration thereof be poſtponed,

The ſeveral matters to this day referred being poſtponed adjourned to 10 o'clock to-morrow.

THURSDAY, *February* 13, 1777.

Reſolved, That 15000 dollars be advanced to Mr. Jonathan Hudſon for public ſervice; he to be accountable.

Reſolved, That Saturday next be aſſigned for taking into conſideration the propriety of appointing commiſſioners to audit and ſettle the accounts of the ſeveral ſtates againſt the continent, and of ſuch of the ſaid ſtates as have received public money, in the eaſtern and middle departments.

Reſolved, That James Walker, Horatio Johnſon, and John Taylor, be appointed ſigners of the bills of credit, in addition to thoſe already appointed.

Reſolved, That 2000 dollars be paid to Benjamin Crocket, and charged to the account of colonel Moſes Hazen, for the uſe of his battalion, the ſame being in full of an order of lieutenant colonel Edward Antil, in favour of the ſaid B. Crocket, dated Wilmington, February 1777.

Reſolved, That 100,000 dollars be advanced to the council of ſafety of Pennſylvania for the recruiting ſervice; the ſaid ſtate to be accountable.

The committee on promoting the manufacture of ſalt-petre reported,

That they have had a conference with Jacob Robſamen, from which it appears that he has been very uſefully employed for one year next preceding the 25th of December paſt, in the ſtate of Virginia, in the manufacture of ſalt-petre, and the inſtruction of all perſons applying to him

him in the proceſs of making ſalt-petre, under a contract for that purpoſe with this committee: that in the execution of this buſineſs he has received nothing more than his expences; and that it is the opinion of the committee that he is entitled to a farther reward; whereupon

Ordered, That there be paid to the ſaid Jacob Robſamen, the ſum of 600 dollars, as a compenſation for his extraordinary ſervices in the proſecution of this important buſineſs.

The committee on Indian affairs, to whom a petition from divers inhabitants of the county of Weſtmoreland in Pennſylvania, and a letter from Thomas Creſſap of Maryland, were referred, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it would be improper and inexpedient to raiſe at preſent any more companies for the defence of the weſtern frontiers, as there appears to be no immediate danger of an Indian war.

A letter of the 12th from the council of ſafety of Maryland was read.

The committee to whom the memorial of colonel Campbell was referred, made a verbal report; whereupon

Reſolved, That the commiſſioners for auditing accounts in the northern department be directed to make enquiry concerning the loſs of colonel Campbell's baggage in the retreat of the army from Quebec, and to report to Congreſs a ſtate of the facts and the evidence relating to them.

Reſolved, That colonel Campbell be continued in his former pay and rank; that he be directed to repair immediately to the commiſſioners for auditing and ſettling the accounts of the northern army, and ſettle with them the accounts of his late department.

Reſolved, That a copy of general Lee's letter reſpecting captain Gibſon be ſent to general Waſhington, and that captain Gibſon be recommended to the general for promotion in the army of the United States.

The committee on the treaſury reported,

That there is due to George M'Candles, for entertaining the Virginia light horſe on their march to join general Waſhington, 66.66 dollars:

To Jacob Myers, for entertaining the Virginia light horſe on their march to join general Waſhington, and for waggonage, his extraordinary expences and trouble, and taking care of the ſick, 439.75 dollars:

To captain Henry Sheafe for the pay of a guard of militia over the priſoners from the 24th December to the 3d February, 118.54 dollars:

To

To Robert Jewell, for maintaining prisoners in the new jail of Philadelphia, and for the salary of himself and his two assistants to the 24th of January, 766.79 dollars:

To John Griffith, for sundry supplies of provisions, wood, &c. in the guard house and prison for prisoners, and for cash he paid for the support of Carolina prisoners in Baltimore, 301.15 dollars:

To John Gibson, esquire, for cash he paid to Michael Watman for the hire of his waggon bringing paper for continental money from Philadelphia to Baltimore, 38.6 dollars:

To Daniel Grant for provisions, firing, &c. to a guard over the treasury nine days by order of the board of treasury at Baltimore 22.26 dollars:

Ordered, That the said accounts be paid.

The committee on deserters brought in a report which was read.

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states, and after debate,

Ordered, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *February* 14, 1777.

A memorial from Thomas Erwing of Baltimore, was read;

Ordered, That it be referred to the secret committee.

The medical committee brought in a report which was read;

Ordered to lie on the table, and that the same be taken into consideration to-morrow.

Resolved, That Mr. R. T. Paine be impowered and directed to contract with colonel Gridley, for forty 8 inch iron howitzers, upon terms that he shall judge reasonable, and cause ten of them to be mounted and sent to Ticonderoga.

Ordered, That the board of treasury direct the managers of the lottery to send with all expedition tickets of the first class to the several states.

Resolved, That 500 dollars be advanced to captain Antoine Selin, towards raising major Ottendorf's corps, and that the same be charged to the account of major Ottendorf.

The board of war brought in a report which was read; Ordered to lie on the table.

A letter

A letter of the 5th from general Washington was read;

Ordered, That it be referred to the board of war.

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states, and after debate,

Ordered, That it be re-committed

Ordered, That doctor Elmer have leave of absence, public business requiring his attendance at home.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February* 15, 1777.

A letter of the 10th from governor Henry was read;

Ordered, That it be referred to the board of war.

Ordered, That the copy of general Howe's letter which was inclosed in general Washington's letter of the 5th, be referred to the committee appointed to enquire into the conduct of the British and Hessian officers.

The committee to whom was re-committed the report on the proceedings of the committees from the four New-England states, brought in another report, which was taken into consideration; whereupon

Resolved, That considering the situation of the New-England states, Congress approve of the measures adopted and recommended by the committees from the four New-England states, for the defence of the state of Rhode-Island; and also of the measures to be taken for preventing the depreciation of their currency, except that part which recommends the striking bills bearing interest, which being a measure tending to depreciate the continental and other currencies, ought not to be adopted, and it is so recommended by Congress to the said New-England states:

That the plan for regulating the price of labour, of manufactures, and internal produce within those states, and of goods imported from foreign parts, except military stores, be referred to the consideration of the other United States: and that it be recommended to them to adopt such measures, as they shall think most expedient to remedy the evils occasioned by the present fluctuating and exorbitant prices of the articles aforesaid:

That for this purpose it be recommended to the legislatures, or in their recess, to the executive powers of the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland, and Virginia, to appoint commissioners to meet at York town in Pennsylvania, on the third Monday in March next, to consider of and form a system of regulation adapted to those states, to be laid before the respective legislatures of each state, for their approbation: That

That for the like purpoſe, it be recommended to the legiſlatures or executive powers in the receſs of the legiſlatures of the ſtates of North-Carolina, South-Carolina, and Georgia, to appoint commiſſioners to meet at Charleſton in South-Carolina on the firſt Monday in May next:

That it be recommended to the legiſlatures of the ſeveral ſtates to take the moſt effectual meaſures for manning the continental frigates fitted for the ſea in their reſpective ſtates:

That it be earneſtly recommended to the United States to avoid as far as poſſible, farther emiſſions of paper money, and to take the moſt effectual meaſures for ſpeedily drawing in and ſinking their paper currency already emitted:

That ſuch parts of the proceedings of the committees from the four New-England ſtates as relate to the price of labour and other things, be publiſhed and tranſmitted to the other ſtates, together with theſe reſolutions.

The committee of treaſury reported,

That there is due to William Lavely, for entertaining a party of the Virginia light horſe, on their march to general Waſhington, 14.48 dollars:

That there ſhould be paid to the honourable Mann Page, on account of Henry Baker, for proviſions ſupplied by him to captain Morgan's company of Virginia, in July, 1775, 56.20 dollars:

That there ſhould be paid to Peter Kemp, for a waggon horſe, that was impreſſed in public ſervice, and died on his return from Philadelphia, where he had been with baggage belonging to the Virginia troops, 80 dollars:

That there ſhould be advanced to the board of war 500 dollars for the public ſervice, and for which they are to be accountable:

Ordered, That the ſaid accounts be paid.

Reſolved, That 1500 dollars be advanced to Gerard Hopkins, ſon of Richard, quartermaſter in Baltimore, for public ſervice; he to be accountable.

A letter of the 10th from James Horne, a priſoner, was read;

Ordered, That it be referred to the marine committee, who are impowered to do therein what they ſhall judge proper.

The ſecret committee having informed Congreſs that their agents in the eaſtern ſtates have by their order, in purſuance of the directions of Congreſs, purchaſed a quantity of cloathing for the army, to the amount of £.36,000 lawful money,

Reſolved,

Reſolved, That 120,000 dollars be advanced to the ſecret committee to pay for the ſaid goods, the committee to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *February* 17, 1777.

A letter of the 13th from the committee of Congreſs at Philadelphia, and one of the 14th from colonel Gift, incloſing a proclamation by the aſſembly of Maryland, were read.

The committee for Indian affairs, to whom was referred a letter from general Schuyler, with ſundry papers incloſed, brought in a report, which was taken into conſideration; whereupon

Reſolved, That Congreſs approve of the attention which general Schuyler has given to ſecure the friendſhip of the Six Nations of Indians towards theſe States, and of the meaſures which he is taking to defeat the evil deſigns of our enemies, who with unremitting cruelty are endeavouring to precipitate theſe Indians into a war againſt us.

That 10,000 dollars be delivered out of the military cheſt in Albany to the commiſſioners of Indian affairs for the northern department, who are deſired to purchaſe therewith in theſe United States, ſuch Indian goods as may be proper, and diſtribute the ſame among the Indian nations in their department, in ſuch manner as they ſhall judge moſt conducive to cultivate the peace and friendſhip of the ſaid nations, and that the commiſſioners direct ſuch perſons as they ſhall employ to purchaſe the ſaid goods, that they do not bid againſt others already employed in purchaſing goods for theſe United States.

On motion, *Reſolved*, That the marine committee be impowered to advance 20 dollars to each ſeaman, who will enter to ſerve on board the Lexington, the ſame to be deducted out of their ſhare of the prize money, ariſing from the captures made by the ſaid Lexington.

Reſolved, That a committee of five be appointed to reviſe the regulations of the poſt-office, and report a plan of carrying it on, ſo as to render the conveyance of intelligence more expeditious and certain.

The members choſen, Mr. Heyward, Mr. J. Adams, Mr. Witherſpoon, Mr. R. H. Lee, and Mr. S. Adams.

Reſolved, That on Tueſday the 25th inſtant, when Congreſs adjourn, it ſhall be adjourned from Baltimore to meet at Philadelphia.

Reſolved, That a committee of three be appointed to con-

conſider the ſtate and ſituation of the North-Carolina priſoners, and report thereon to Congreſs:

The members choſen, Mr. Whitherſpoon, Mr. Rumſey, and Mr. Burke.

Congreſs took into conſideration the report of a committee appointed to prepare a plan for ſuppreſſing the internal enemies of America, and preventing a communication of intelligence to our enemies;

Ordered, That the ſame be re-committed, and that two members be added to the committee:

The members choſen, Mr. Chaſe and Mr. Gerry.

Reſolved, That 20,000 dollars be paid to colonel William Crawford, for raiſing and equipping his regiment, which is part of the Virginia new levies.

Reſolved, That Mr. Aquila Norris be appointed a ſigner of the continental bills of credit in addition to thoſe already appointed.

Congreſs having this day received intelligence that the enemy meditate an expedition to the bay of Cheſapeak the enſuing campaign, and that the eaſtern ſhore is the firſt object or place of landing:

Reſolved, That the ſtates of Virginia and Maryland be requeſted to take immediate and the moſt effectual meaſures that the ſtocks be removed from their reſpective eaſtern ſhore counties, and their adjacent iſlands, or ſo ſecured that they may not fall into the enemy's hands, and that means the moſt effectual be taken to protect and ſecure the well affected inhabitants from the inſults and plunder of the enemy.

Ordered, That the marine committee deliver the Lexington when fitted for the ſea and manned, to the order of the committee of ſecret correſpondence.

Ordered, That the ſecret committee forward to the council of Maſſachuſetts-Bay, a copy of the reſolution of the 5th inſtant, requeſting the ſeveral ſtates to order their armed veſſels into the ſervice of the United States, under the direction of the ſecret committee, and that they requeſt the ſaid council to ſend in one of the veſſels belonging to their ſtate, a truſty perſon, at the expence of the continent, who ſhall take charge of ſuch papers as ſhall be intruſted to him by the ſecret committee, and govern himſelf agreeable to the orders he ſhall receive from the ſaid committee.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *February* 18, 1777.

Mr. Heyward attending in his place produced credentials of a new appointment, which were read as follows;

"South-Carolina, in General Aſſembly, the 10th day of January, 1777. The members of the legiſlative council, and of the houſe jointly, voted for delegates to repreſent this ſtate in the Continental Congreſs, and the ballots being reckoned, Mr. Speaker reported that the honourable Arthur Middleton, Thomas Heyward, jun. and Henry Laurens, eſquires, having a majority of votes of the members preſent, were duly elected.

"In General Aſſembly, the 20th day of January, 1777.

"*Reſolved, unanimouſly*, That the delegates of this ſtate in the continental Congreſs already, or hereafter to be elected, or a majority of ſuch of them as ſhall at any time be preſent in the ſaid Congreſs, or any one of the ſaid delegates, if no more than one ſhall be preſent, be and they and he are and is hereby authoriſed and impowered for and in behalf of this ſtate, to concert, agree to, and execute every meaſure which they or he together with a majority of the continental Congreſs ſhall judge neceſſary for the defence, ſecurity, intereſt, or welfare of this ſtate in particular, and of America in general.

"In the General Aſſembly, the 21ſt day of January, 1777. The members of both houſes proceeded to ballot jointly for two more delegates to repreſent this ſtate in continental Congreſs, and the ballots being caſt up, Mr. Speaker reported, that only the honourable Charles Pinkney, eſquire, of the gentlemen that were balloted for, had the votes of a majority of the members preſent, who was accordingly declared duly elected. The members of both houſes then proceeded to ballot for the other delegate, and the votes being reckoned, Mr. Speaker reported that the honourable Paul Trapier, junior, eſquire, was duly elected by a majority of the ballots of the members preſent. True extracts from the journals,

"Peter Timothy, Cl. G. A."

A letter of the 8th from Mr. Walton and Mr. Taylor at Durham, with a copy of the minutes of proceedings with the Indians was read;

Ordered, That the ſame be referred to the committee on Indian affairs.

A letter of the 15th from the committee of Congreſs at Philadelphia; one of the 22d and one of the 25th of January from the committee of ſafety for the ſtate of New-York at Fiſhkill; one of the 11th from general Waſhington at Morriſtown, with ſundry letters from French officers;

cers; one of the 28th of January from brigadier Moore at Charleſtown; and one of the 24th of the ſame month from brigadier Howe at the ſame place, with ſundry papers incloſed; were read:

Ordered, That the letter from brigadier Howe, with the papers incloſed, be referred to the delegates of South-Carolina, North-Carolina, and Georgia.

Ordered, That the letters from the council of ſafety of New-York be referred to the board of war.

Reſolved, That general Waſhington be directed to cauſe an inquiry to be made into the military abilities and conduct of the French gentlemen in the army, and how far they can be uſefully employed in the ſervice of theſe ſtates, and to diſmiſs ſuch of them as he ſhall find unworthy of commiſſions, or unable to render ſervice in the military line.

Mr. Chaſe attending in his place, produced credentials of a new appointment of delegates for the ſtate of Maryland, which were read as follows:

"In the Houſe of Delegates, February 15, 1777. On ſtriking the joint ballot of both houſes for delegates to repreſent this ſtate in Congreſs, a majority appeared in favour of Samuel Chaſe, Benjamin Rumſey, William Smith, Charles Carrol, of Carrolton, Thomas Stone, and William Paca, eſquires. *Reſolved therefore*, That the ſaid Samuel Chaſe, Benjamin Rumſey, William Smith, Charles Carrol, of Carrolton, Thomas Stone, and William Paca, eſquires, or any two or more of them be delegates to repreſent this ſtate in Congreſs.

"By order, G. Duval, Cl. Ho. Del."

Reſolved, That Darby Lux, and Daniel Carrol be appointed ſigners of the continental bills of credit, in addition to thoſe already appointed

Congreſs proceeded to conſider the propriety of appointing an additional number of general officers; and after debate,

Reſolved, That three majors general be appointed.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to morrow.

WEDNESDAY, *February* 19, 1777.

Reſolved, That colonel Campbell have leave to go to Virginia, to tranſact ſome buſineſs relative to his own private affairs.

Reſolved, That 6000 dollars be paid to Chriſtopher Richmond, and charged to the account of brigadier W. Smallwood, for the purpoſe of paying the arrearages due to the battalion

battalion and independent companies, ſerving laſt campaign, under the command of the ſaid brigadier, then colonel Smallwood, the ſame being in full of his draught in favour of the ſaid C. Richmond, dated Annapolis, February 15, 1777.

Reſolved, That in voting for general officers a due regard ſhould be had to the line of ſucceſſion, the merit of the perſons propoſed, and the quota of troops raiſed and to be raiſed by each ſtate.

Reſolved, That the number of major generals now to be appointed be five.

Reſolved, That brigadier Lewis be directed to order all the troops raiſed in Virginia for the continental army, to march immediately by the neareſt route, in companies and parts of companies to general Waſhington's army, proper officers being left behind to recruit the companies or corps that are deficient in numbers, and to bring up the recruits when raiſed.

Ordered, That the ſecret committee deliver out of the public ſtores 120 yards of coarſe duffels to the captain of the Lexington, to ſupply the place of blankets for the men on board the ſaid veſſel.

Congreſs proceeded to the election of five major generals, and the ballots being taken, the following gentlemen were duly elected viz.

Lord Stirling,
Thomas Mifflin,
Arthur St. Clair,
Adam Stephen,
Benjamin Lincoln.

Ordered, That Mr. Hudſon pay captain Jones of the Virginia light horſe, three months pay, and the privates with him each one months pay, and tranſmit an account thereof to the paymaſter general.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *February* 20, 1777.

A letter of the 14th from general Waſhington at Morriſtown, incloſing one of the 9th to him from general Lee at New-York, and one of the 10th from the ſame to Congreſs; three of the 17th from the committee of Congreſs at Philadelphia; one of the 30th of January and one of the 1ſt of February from the council of Maſſachuſetts-Bay; one of the 30th January from the committee of ſafety of New-Hampſhire; one of the 3d from governor Cooke at Providence; one of the 7th from governor Trumbull; one

of

of the 14th from general Washington, with sundry papers inclosed relative to the hospital; one of the 28th of January from general Ward; and one of the 2d instant from colonel Wayne; were read.

Resolved, That 500,000 dollars be sent to the paymaster general, for the use of the army.

Ordered, That the letter from general Washington, with the papers relative to the hospital, be referred to the medical committee; that the letter from general Lee lie on the table; and that the other letters be referred to the board of war.

Resolved, That a committee of three be appointed to confer with colonel Buchanan on the subject of a contract for supplying the army with provisions.

The members chosen, Mr. Sherman, Mr. Gerry, and Mr. W. Smith.

The committee, to whom the copy of general Howe's letter to general Washington was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That the board of war be directed immediately to order the five Hessian field officers and lieutenant colonel Campbell into safe and close custody; it being the unalterable resolution of Congress to retaliate on them the same punishment as may be inflicted on the person of general Lee;

That, to manifest to all the world how averse Congress are to this severe but necessary measure, which alone can teach our cruel enemies to regard the laws of nations and the rights of humanity; and that Congress not only lament but would willingly avoid the necessity of this just retaliation:

Ordered, That the board of war transmit to each of the Hessian officers and to colonel Campbell copies of the resolve of Congress of the 6th of January, of such part of general Washington's letter of the 13th, and of general Howe's answer thereto of the 23d of January, as relates to general Lee; and inform those officers that the conduct of general Howe alone induces Congress to treat them in a manner so very different from that which has ever been shewn to all other prisoners of war of these states: and that if any of them think proper to write on this subject to the British or Hessian general, the letter shall be transmitted by a flag.

Resolved, That the president write to general Gates, and inform him it is the earnest desire of Congress that he should resume the office of adjutant general, and that his present rank and pay shall be continued to him.

The committee on ways and means of supplying the treasury and supporting the credit of the continental currency, brought in a report, which was read:

Ordered

Ordered to lie on the table.

Congrefs refumed the fubject of increafing the number of general officers, and thereupon

Refolved, That ten brigadiers be appointed.

Ordered, That the election of thefe brigadiers be poftponed till to-morrow.

The committee on the treafury reported that there is due,

To Robert Patton, for his fervices attending Congrefs from the 4th of December to the 20th of February being 78 days; and for ink-powder, candles, &c. 79.35 dollars:

To Robert M'Gee for the hire of his waggon, taking the baggage of captain Yates's company of the 4th battalion of Maryland forces, 26 dollars:

To William Adams, for ftabling, oats, &c. for eight waggon-horfes and three Virginia light horfe, 11 dollars:

To doctor Frederick Phyle, for the amount of his account for medicine and attendance to the German battalion, in Philadelphia, 1999.48 dollars:

To John Fleming, for the hire of his team 20 days in the fervice of the army, and for ferriages paid by him, 80.27 dollars; and 4 dollars for the ferriage of his waggon and horfes over Bald Friars on the Sufquehanna, kept by Alexander Ewing, as appears by his receipt, and which the faid Fleming was compelled to pay or he could not pafs, and which appears an extortionate fum: the whole amounts to 84.27 dollors:

Ordered, That the faid accounts be paid.

The feveral matters to this day referred being poftponed, adjourned to 10 o'clock to morrow.

FRIDAY, *February* 21, 1777.

The committee, to whom was re-committed the plan reported for fuppreffing the internal enemies of America, and preventing a communication of intelligence to the other enemies of thefe ftates, brought in a report, which was read:

Ordered to lie on the table.

Congrefs took into confideration the letter of the 10th from general Lee; and thereupon

Refolved, That general Waffhington be directed to inform general Lee that Congrefs are purfuing and will continue to purfue every means in their power to provide for his perfonal fafety and to obtain his liberty:

That general Waffhington inform him of the ftеps taken to effect thefe ends, and at the fame time acquaint him that Congrefs judge it altogether improper to fend any of their body to communicate with him, and that they cannot perceive how a compliance with his requeft will tend to his advantage or the intereft of the public. Agree-

Agreeable to the order of the day Congreſs proceeded to ballot for the brigadiers, previouſly agreeing that the rank of the brigadiers now to be elected ſhall be ſettled after the elections, and the ballots being taken and counted, the following gentlemen were elected—

Colonel Enoch Poor, colonel J. Glover, colonel J. Patterſon, colonel Anthony Wayne, colonel James Mitchel Varnum, colonel J. P. De Haas, colonel G. Weedon, colonel P. Mulhlenberg, colonel J. Cadwallader, and colonel W. Woodford.

Reſolved, That the rank of the foregoing brigadiers and of brigadier Naſh be ſettled to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February* 22, 1777.

Reſolved, That Thomas Bullit, eſquire, deputy adjutant general, have the rank of a colonel on the continental eſtabliſhment.

Congreſs proceeded to ſettle the rank of the brigadiers elected yeſterday, and of brigadier Naſh, with reſpect to each other and thereupon

Reſolved, That ſuch as are in the continental ſervice take rank according to the dates of their commiſſions, and the rank they held in the army at the time of their promotion; and that ſuch as do not hold continental commiſſions ſtand after them in the order in which they are elected.

On motion, "That colonel Woodford, who formerly held a commiſſion of colonel in the continental ſervice, but reſigned, take rank according to the date of the ſaid commiſſion:"

Queſtion put—Carried in the negative.

A memorial from Regnier de Rouſſi, and a repreſentation from Thomas Rutherford and three other priſoners from North-Carolina, were read:

Ordered, That the memorial from Regnier de Rouſſi be referred to the board of war; and

That the repreſentation from the North-Carolina priſoners be referred to the board of treaſury

Congreſs took into conſideration the report of the committee of ways and means; whereupon

Reſolved, That thirteen millions of dollars be borrowed on loan-office certificates of the following denominations.

2500	of	200 dollars each,	500,000
9185		300 ditto,	2,755,500
7350		400 ditto,	2,940,000
5513		500 ditto,	2,756,500

3675	600 ditto,	2,205,000
1843	1000 ditto,	1,843,000
30066		13,000,000

Resolved, That all certificates issuing after the first emission be signed by Michael Hillegas, esquire, treasurer, or Samuel Hillegas, and countersigned agreeable to the resolutions of Congress of the 3d of October 1776, and 15th of January 1777.

Resolved, That the farther consideration of the report be postponed.

Resolved, That the treasurer be directed to remain in Baltimore till the farther orders of Congress.

Resolved, That one million of dollars be lodged in the hands of John Gibson, esquire, auditor general, to be subject to the draughts or orders of Congress; he to be accountable.

Resolved, That 400 dollars be paid to the delegates of Connecticut, and charged to that state.

The board of war brought in a report which was taken into consideration; whereupon,

Resolved, That Jost Triesback be appointed a captain, and Charles Merckle a lieutenant in major Ottendorff's corps:

That 1,500 dollars be paid to doctor Samuel M'Kinzie, for the use of the hospital in Baltimore; he to be accountable.

Resolved, That a member be added to the committee on the treasury:

The member chosen, Mr. William Smith.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *February* 24, 1777.

A letter of the 23d of December last from major-general Ward; one of the 12th from colonel G. Morgan, at Pittsburgh, with sundry papers inclosed; one of the 22d from the committee of Congress at Philadelphia; one of the 20th from general Washington; and one of the 20th from G. Walton, esquires, were read;

Ordered, That the letter from colonel Morgan, with the papers inclosed, be referred to the committee on Indian affairs; and that the letter from general Ward be referred to the board of war.

Resolved, That 2,600 dollars be paid to lieutenant Hudson Martin, and charged to the account of the paymaster general; the same being in full of an order drawn by general Washington on William Palfrey, paymaster general, in favour

tour of Levin Joynes, dated February 10, 1777, and indorſed by the ſaid Joynes to captain Woodſon, and by captain Woodſon to the ſaid lieutenant H. Martin.

Ordered, That the letter from the committee of Congreſs, and that from general Waſhington, be referred to a committee of the whole:

Congreſs thereupon reſolved itſelf into a committee of the whole, and after ſome time, the preſident reſumed the chair; and Mr. Harriſon reported, that the committee have taken into conſideration the letters referred to them, and have come to ſundry reſolutions, which he was ordered to report.

The reſolutions reported from the committee of the whole Congreſs, being read, and the queſtion put on each, were agreed to as follows:

Reſolved, That general Waſhington be informed that it will be agreeable to Congreſs, that he call over to him, ſuch farther aid from the troops under general Heath, as he ſhall think proper, and that he order all the continental troops that are at Providence, immediately to join him:

That the convention of New-York be deſired to place as many militia on the highlands as may be ſufficient to defend thoſe paſſes againſt any attempts of the enemy, during the abſence of the regular troops.

And in order farther to ſtrengthen the hands of the general,

Reſolved, That the board of war be directed to ſend letters by expreſs to the colonels or other commanding officers of the ſeveral regiments now raiſing and recruiting in the ſtates of Pennſylvania, Delaware, Maryland, and Virginia, ordering them immediately to march the troops inliſted under their command, by companies and parts of companies, to join the army under general Waſhington; proper officers being left behind, to recruit the companies or corps that are not yet compleated, and to bring up the recruits:

That general Waſhington be directed to write ſimilar letters to the colonels or other commanding officers of the regiments now raiſing and recruiting in the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-York, and New-Jerſey, excepting ſuch regiments as he ſhall deſtine for the ſervice of the northern department:

That the governor of New-Jerſey be requeſted to order the militia of that ſtate properly armed and equipped, immediately to join the general; and that the council of ſafety of Pennſylvania be alſo requeſted to ſend to the aid

of the general ſuch of their militia properly armed and equipped, as are contiguous to New-Jerſey. It being the earneſt deſire of Congreſs to make the army under the immediate command of general Waſhington, ſufficiently ſtrong, not only to curb and confine the enemy within their preſent quarters, and prevent them from drawing ſupport of any kind from the country, but by the divine bleſſing, totally to ſubdue them before they can be reinforced.

Congreſs took into conſideration the report of the board of war of the 14th; whereupon

Reſolved, That the ſeveral ſtates be requeſted to take the moſt effectual ſteps for immediately collecting from the inhabitants not in actual ſervice, all continental arms, and give notice of the number they ſhall collect to general Waſhington:

That all arms and accoutrements belonging to the United States be ſtamped or marked with the words UNITED STATES; all arms already made to be ſtamped upon ſuch parts as will receive the impreſſion, and thoſe hereafter to be manufactured to be ſtamped with the ſaid words on every part compoſing the ſtand; and all arms and accoutrements ſo ſtamped or marked ſhall be taken wherever found for the uſe of the ſtates, except they ſhall be in the hands of thoſe actually in continental ſervice:

That it be recommended to the legiſlatures of the ſeveral ſtates to enact proper laws for the puniſhment of thoſe who ſhall unlawfully take, ſecrete, refuſe or neglect to deliver any continental arms or accoutrements which they may have in their poſſeſſion.

Ordered, That the farther conſideration of the report be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *February* 25, 1777.

Congreſs reſumed the conſideration of the report of the board of war; whereupon

Reſolved, That the ſeveral ſtates be requeſted and impowered to borrow or purchaſe on behalf of the continent from the militia within the ſaid ſtates reſpectively as many good and ſufficient arms as can poſſibly be procured.

Ordered, That the farther conſideration of the report be poſtponed.

A petition from Jacob Haymaker was read, praying to be allowed a compenſation for ſome horſes ſtolen from him by the Indians.

On

On the question put to comply with the prayer of the petition,

Carried in the negative.

The committee to whom the state of the North-Carolina prisoners was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That the prisoners from North-Carolina now in prison or under guard in Baltimore, be put upon their parole, and engaged to continue at Fredericktown in Maryland, or within one mile of it, till the farther order of Congress.

Ordered, That the committee who brought in the report carry the resolution into execution, and take such security of the prisoners for the faithful observance of their parole as the said committee think proper.

Congress being informed that a quantity of woollens are brought into the port of Baltimore by a privateer belonging to the state of New-York, which are fit for the army, and immediately necessary for cloathing and supplying the new raised levies.

Resolved, That the board of war be directed to appoint proper persons to appraise the said woollens, in order that the value of the same may be paid to the state of New-York, or that a like quantity of woollens be supplied that state from the clothier general; and that the board of war give directions for having the cloth thus obtained made up as quickly as possible into soldiers cloaths.

The committee on the post-office brought in a report, which was read:

Ordered to lie on the table.

Congress took into consideration the report of the committee on deserters, and thereupon came to the following resolutions:

To the end that the most speedy stop may be put to the pernicious and unsoldierly practice of deserting, and that such offenders who receive the public money for services that they design not to perform, may be certainly and speedily carried back to the corps they have deserted from, it is earnestly recommended to the committees of observation or inspection in these United States that they cause diligent inquiry to be made in their respective counties or districts for all deserters that may be lurking or harboured therein, and cause such whenever found to be immediately secured and conveyed to the nearest continental officer; and all such officers are hereby directed to receive and secure such deserters, that they may be safely delivered to their respective regiments and brought to a speedy trial

and exemplary punishment: and farther, to pay to the persons delivering such deserters eight dollars for each deserter so brought and delivered, and twelve ninetieths of a dollar in lieu of expences for every mile from the place where the deserter was taken up to the place where he is delivered to the officer.

Ordered, That the foregoing resolve and the first, second and third articles of the 6th section of the articles of War be published in the several news-papers for six months, and also that 300 copies be printed in hand bills and sent to camp, to be distributed among the officers.

On an application from two officers of the 2d and 7th Virginia battalions, who were left behind to bring up the baggage of their respective battalions, and from a surgeon's mate belonging to the 2d battalion for two months pay for themselves and the men with them, to enable them to proceed to camp;

Ordered, That they apply to Jonathan Hudson, esquire, and that he pay the said officers and men two months pay; and transmit an account thereof to the general, and to the paymaster general.

Ordered, That Mr. Witherspoon have leave of absence.

Resolved, That 3000 dollars be advanced to the delegates of Georgia, for the use of that state; the said state to be accountable.

Ordered, That Mr. Serjeant have leave of absence, for the recovery of his health.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That Mons. Regnier de Rouffi be allowed the rank and pay of a lieutenant colonel from the 12th day of January 1777, and be referred for future employment to general Washington.

The committee of treasury reported that there is due,

To doctor Benjamin Rush, for sundry medicines and attendance to sick soldiers and prisoners, 473.18 dollars:

To Richard Stockton, esquire, and to be paid to doctor Benjamin Rush, for the hire of two horses, a sulkey, &c. for his journey to Ticonderoga last fall by order of Congress, 151.30 dollars:

To captain James Cox, for the pay of a guard of militia to the treasury, and prisoners, and for candles for the use of the guard, 104.42 dollars.

That there should be paid to Samuel Purviance, esquire, 147.87 dollars, the amount of George Pressman's account for plastering done by him in the court-house in Baltimore, and for nails, wood, &c. which work was done to accommodate Congress

Ordered,

Ordered, That the ſaid accounts be paid.

It being repreſented to Congreſs that profaneneſs in general, and particularly curſing and ſwearing, ſhamefully prevail in the army of the United States,

Reſolved, That general Waſhington be informed of this; and that he be requeſted to take the moſt proper meaſures, in concert with his general officers, for reforming this abuſe.

Reſolved, That the order for adjourning to Philadelphia be ſuſpended.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *February* 26, 1777.

Reſolved, That William Spear be appointed a ſuperintendant of the preſs in addition to thoſe already appointed.

Reſolved, That 3000 dollars be paid to colonel Stephen Moylan, for the purpoſe of recruiting his regiment agreeable to the tenor of a warrant from general Waſhington, as certified by an order ſigned by the committee of Congreſs, dated Philadelphia, February 18, 1777.

The board of war brought in a report which was taken into conſideration; whereupon

Reſolved, That 100 dollars be advanced to Thomas Edgar, conductor of a brigade of waggons, laden with the baggage of the 2d and 7th Virginia regiments; he to be accountable.

Congreſs reſumed the conſideration of the rate of intereſt to be allowed on the ſums of money ordered to be borrowed: whereupon

Reſolved, That an intereſt of 6 per cent. per annum be allowed on all ſums of money already borrowed, and directed to be borrowed on loan office certificates, although ſuch certificates mention only an intereſt of 4 per cent. per annum.

Reſolved, That the intereſt on the prizes drawn in the continental lottery, ſhall remain at 4 per cent.

Reſolved, That it be recommended to the legiſlatures of the ſeveral ſtates not to offer or give more than at the rate of 6 per cent. per annum upon any monies to be borrowed in their reſpective loan offices.

Reſolved, That 1000 dollars be advanced to major Ottendorf, for the purpoſe of recruiting his corps: he to be accountable.

The committee on the treaſury reported

That there is due to Peter Galway, for riding expreſs to Chincotigue with orders to captain Baldwin, 52 dollars:

To

To Catherine Heydſhaw, for lodging, firing, candles, and for dieting Heſſian priſoners from the 29th of January to the 25th of February incluſive, 29.78 dollars:

To Henry Bradford, for furniſhing lodging and fuel to 126 of the Virginia troops, 3.30 dollars:

To Joſeph Stiles, for hay and oats to captain Yauncey's ſquadron of light horſe on their march from Virginia to join general Waſhington, 48.4 dollars:

To Robert Talbot, for victualling 48 men of the Virginia troops, 6.36 dollars:

Ordered, That the ſaid accounts be paid.

Congreſs reſumed the conſideration of the report of the committee on ways and means; whereupon

Reſolved, That the ſum of five millions of dollars in bills on the credit of the United States, of the ſame tenor and denominations as the laſt emiſſion, be forthwith emitted under the direction of the board of treaſury.

Reſolved, That the farther conſideration of the report be poſtponed.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *February* 27, 1777.

A letter of the 17th from colonel George Morgan at Pittſburgh was read;

Ordered, That the meſſenger who brought the letter be introduced.

Reſolved, That 10,000 dollars be advanced to Mr. John Boreman, and charged to the account of colonel George Morgan, for the purpoſe of laying in proviſions for the public ſervice at Fort Pitt.

The medical committee to whom the report on the hoſpital was re-committed, brought in a report, which was read;

Ordered to lie on the table.

Reſolved, That when Congreſs adjourns this evening, it be adjourned to meet at Philadelphia on Wedneſday next.

Reſolved, That 40,000 dollars be paid to the delegates of Maryland, for the uſe of the ſtate of Maryland, the ſaid ſtate to be accountable:

That 3000 dollars be advanced to the delegates of Pennſylvania, for the purpoſe of recruiting colonel Hand's battalion, and that the ſaid ſum be charged to the account of the ſtate of Pennſylvania.

Whereas the ſum of 2000 dollars was ordered on the 9th of December laſt, to be advanced to the delegates of New-Jerſey, for the public ſervice, for which they were

to

to be accountable, and whereas the said sum has not yet been advanced, and the business for which it was intended, is performed:

Ordered, That no warrant be drawn in pursuance of the order aforesaid.

Resolved, That 500,000 dollars be advanced to the state of South-Carolina, for public service, the said state to be accountable.

Mr. Anderson, the messenger who brought the letter from colonel Morgan, being introduced, gave an account of the state of Indian affairs to the westward of the Ohio, and withdrew.

Resolved, That it be recommended to the several legislatures of the United States immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived, if not quickly prevented.

The committee of treasury reported,

That there should be advanced to John Griffith, for sundry provisions and other necessaries furnished by him for the use of the hospital in Baltimore, 533.30 dollars:

Ordered, That the said sum be paid.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That two months pay be advanced by Jonathan Hudson, esquire, to a detachment of the 2d and 7th Virginia regiments, under the command of captain Joseph Spencer.

The committee to whom a motion of Mr. Clarke was referred brought in a report, which was read:

Ordered to lie on the table.

The committee on Indian affairs brought in a report, which was read:

Ordered to lie on the table.

Resolved, That the governor and council of Virginia be desired to consider the propriety of ordering an expedition from the western frontier of that state against the settlement of Indians, west of the river Ohio, commonly known by the name of Pluggy's town, and if the said governor and council shall be of opinion that such an expedition is proper and conducive to the public weal, they are desired to direct the same to be undertaken and executed by their frontier militia, on terms the most frugal and effectual, taking the best precaution in conducting this expedition not to give offence to any nations of Indians, in friendship with the United States:

That

That a copy of the information from colonel G. Morgan concerning Indian affairs, be tranſmitted to the governor and council of Virginia.

The committee on the treaſury reported,

That there is due to James Long, for attending as door-keeper to Congreſs from the 23d of December, 1776, to this day, 67 dollars:

Ordered, That the ſame be paid.

Reſolved, That the ſum of £.2859 2s. 9d; dollars at 8s. each, be paid to meſſieurs Graverod and Viſgar, the ſame being in full of an order in their favour, drawn by colonel G. Morgan, dated Fort Pitt, February 8, 1777; for goods purchaſed from them by order of Congreſs.

Reſolved, That William Lux, James Colhoun, and David Stewart be appointed to appraiſe the woollens brought into the port of Baltimore, by the privateer belonging to the ſtate of New-York:

That the cloaths and linens when appraiſed, be delivered to meſſieurs Samuel and Robert Purviance, who are directed to have them made up, and to deliver 200 ſuits of cloaths, and 693 ſhirts to the delegates of Maryland, to be charged to that ſtate, and the reſidue to the Virginia troops, tranſmitting an account to the clothier-general.

Reſolved, That 20,000 dollars be advanced to Jonathan Hudſon, eſquire, for public ſervice; he to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Wedneſday next, to meet at the ſtate houſe in Philadelphia.

During the adjournment the board of treaſury reported to the preſident that there ſhould be paid to capt. W. Galbreath, for expences of a guard over the Carolina priſoners, &c. 194.22 *dollars:*

And a bill having been drawn by the committee of Congreſs in Philadelphia, dated February 18, 1777, *in favour of colonel Stephen Moylan, for* 3000 *dollars for recruiting his regiment, agreeable to an order from general Waſhington; which bill was indorſed to and preſented by Mr. W. Lux:*

And another bill being drawn by the ſaid committee at Philadelphia, February 18, 1777, *in favour of the ſaid colonel Stephen Moylan, for* 3000 *dollars for the purpoſe of recruiting his regiment, and the ſame being indorſed to and preſented by captain David Plunket, the preſident ordered the payment, and reported the ſame to Congreſs on the* 24*th of March, and the ſame was confirmed.*

Congreſs being adjourned on the 4th, and from thence from day to day met on buſineſs.

WEDNESDAY,

WEDNESDAY, *March* 12, 1777.

The delegates of Pennſylvania produced credentials of their appointment, which were read as follows:

"This may certify Congreſs that the following gentlemen were duly elected in and by a full houſe of the general aſſembly of the Commonwealth of Pennſylvania, to ſerve as delegates in the Continental Congreſs for the preſent year, to wit, Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, George Clymer, and James Wilſon. Witneſs my hand, the 10th of March, 1777. (Signed,) John Jacobs, ſpeaker."

The delegates of Maſſachuſetts-Bay laid before Congreſs farther powers received from their conſtituents, which were read as follows:

"State of Maſſachuſetts-Bay. In the Houſe of Repreſentatives, February 4, 1777. Whereas the commiſſion given the delegates in Congreſs, repreſenting this ſtate by a reſolve of the 10th of December laſt, confines the exerciſe of their repreſentation and powers to any three or more of them, from which many inconveniences may ariſe, and their vote in Congreſs may be loſt on any queſtion, when only two are preſent; and one may controul two when three are preſent, and the ſame effect take place: It is therefore *Reſolved*, That any two or more of the ſaid delegates repreſenting this ſtate in Congreſs, being the major part preſent, be and hereby are veſted with all the powers with which any three or more of the ſaid delegates were veſted by the ſaid reſolve of the 10th of December laſt; and the ſecretary is hereby directed, as ſoon as may be, to furniſh each of the delegates from this ſtate with an atteſted copy of this reſolve.

"T. Warren, ſpeaker.

"In Council, February 4, 1777, read and concurred.

"J. Avery, deputy ſecretary."

Five letters from general Waſhington, viz. one of the 20th, one of the 23d, one of the 28th of February, and one of the 1ſt, and one of the 6th of March; four letters from general Schuyler, viz. one of the 4th, one of the 8th, one of the 15th, and one of the 24th of February; a memorial from baron de Arandt; a letter from general Gates, with a liſt of Canadian officers; one from Mr. Bowdoin, reſpecting monſieur Faneuil; and one from John Vipſchir; one from governor Henry of Virginia; one from John Page, reſpecting two German officers; alſo a letter from lieutenant colonel John Brown, incloſing his commiſſion reſigned; one of the 3d from Lord Stirling; one from general Stephen; and one from general Lincoln, acknow-

ledging severally the receipt of their commissions as major generals; one from J. Cadwallader, declining his appointment as brigadier; one of the 24th of February from colonel Stewart, respecting the purchase of cannon, were read:

Ordered, That they be referred to the board of war.

A letter of the 28th of February from general Gates was read, respecting the office of adjutant general:

Ordered, That this be taken into consideration to-morrow.

An appeal being lodged from the judgment of the court of admiralty at Georgia, against the sloop Polly, captain Alexander M'Auslan;

Ordered, That it be referred to the committee on appeals.

An account of advances by the state of Rhode-Island, was laid before Congress;

Ordered to lie on the table.

A letter from the council of safety of Pennsylvania was read, respecting the complaints of the troops from Ticonderoga, on account of their not being paid:

Ordered, That the same be referred to the committee appointed to confer with general Gates.

Resolved, That 400,000 dollars be paid to the state of Rhode-Island, which is to be accountable; and that the same be paid by an order on the auditor general for 200,000, by one on the commissioner of the loan-office of the state of Rhode-Island for 60,000, and one on the treasurer, for 140,000; this last to be paid out of the emission last ordered.

Resolved, That three members be added to the committee for hearing appeals:

The members chosen, Mr. J. Adams, Mr. Read, and Mr. Burke.

Resolved, That an order in favour of James Mease, for 10,000 dollars be drawn on the auditor general, to be paid out of the lottery money; and that the same in the hands of Mr. Mease be subject to the orders of general Gates.

Resolved, That it be recommended to the legislatures, or in their recess, to the executive powers of each of the United States, to cause assessments of blankets to be made, in order to furnish their several quotas of soldiers with an article so necessary to defend them from the inclemency of the weather and damp air in their encampments; and that all blankets to be obtained in this manner be valued to a just and reasonable price and paid for by the states respectively, to be repaid by the United States: and that the legislatures, or in their recess, the executive power, do cause money to be put into the hands of a proper officer in every county, district or township, in order that such blankets may be paid for without delay or trouble to the householders on whom the assessments shall be made. The

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *March* 13, 1777.

A petition from Richard Howson was read, praying for leave to go to New-York, in order to pass from thence to England:

Resolved, That the prayer be granted.

A letter from lord Howe to the committee of Congress at Philadelphia, respecting the exchange of captain Jones, who was taken in the brig Lexington by the Pearl frigate, was read:

Ordered, That it be referred to the marine committee.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That a letter be written by the president to colonel Stevens of the 10th Virginia regiment, ordering him to purchase 80 stand of arms, or as many more as can be procured, of Mr. James Hunter, of Fredericksburgh in Virginia; and that the colonel be impowered to draw for the amount on the deputy paymaster general of the southern department.

Congress being informed that there are in the public armoury in the state of Virginia a number of arms, to the amount of about 300, belonging to that state.

Resolved, That a letter be written by the president to the governor and council of Virginia, requesting them to furnish the battalion commanded by colonel Stevens, now in Fredericksburgh, with the arms now in that place, and as many more as can be procured, for which they shall be either paid, or have the same number, equally as good, returned, at their election.

Whereas applications are frequently made to Congress for employment in the continental army by gentlemen from Europe of various nations, who may very probably have great merit, but not understanding our language, can be of no use in the army of these states; therefore

Resolved, That the committee of secret correspondence be directed forthwith to write to all their ministers or agents abroad to discourage all gentlemen from coming to America with expectation of employment in the service, unless they are masters of our language and have the best recommendations.

Resolved, That major Marlet be paid for the time that he was employed in the American service as major and captain in Canada, which is referred for settlement to the board of treasury.

Mr. Winters of Maryland, who has carried on a manufactory of ſmall arms, having offered his ſervice to the continent,

Ordered, That he be referred to the board of war.

A petition from Lewis Prahl, gunſmith, was read, praying the diſcharge of two recruits, gunſmiths by trade, from their inliſtment, in order that he may employ them in that buſineſs:

Ordered, That it be referred to the board of war.

A memorial from Robert Irwin, waggonmaſter, was read, praying an allowance for his expence and trouble:

Ordered, That it be referred to the board of treaſury.

Reſolved, That a committee of five be appointed to confer with general Gates upon the general ſtate of affairs:

The members choſen, Mr. Roberdeau, Mr. L Morris, Mr. Sherman, Mr. Whipple, and Mr. Lovell.

The board of treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That three commiſſioners be appointed to examine ſuch claims againſt the United States as may be preſented to Congreſs for payment:

That they conſtantly keep their office in the city or place where Congreſs ſhall from time to time be aſſembled and hold their ſeſſion:

That they carefully avoid paſſing any accounts that ought to be adjuſted in other departments, unleſs directed thereto by Congreſs or the board of treaſury, in which caſes they are to ſend to the office or department where the ſame ſhould have been ſettled, a copy of ſuch accounts and the allowance made thereon by Congreſs:

That they certify the ſums to be allowed on accounts examined by them, and render the ſame to the auditor general, to be by him reported to Congreſs.

A memorial from Chriſtopher Ludwick, reſpecting the Heſſian priſoners, was read:

Ordered, That it be referred to the committee appointed to confer with general Gates.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *March* 14, 1777.

A letter from John Trumbull, deputy adjutant general in the northern department, with his commiſſion incloſed; one from John Lawrence, commiſſioner of the loan-office in the ſtate of Connecticut; one from monſieur Vernejour, with one from general Sullivan, recommending him; one from James Price, praying to be authoriſed to draw on

the

the treasury for the balance due to Price and Haywood; one of the 5th from Joseph Trumbull, commissary general; and one of the 21st of February from governor Trumbull were read;

Ordered, That the letter from John Trumbull, deputy adjutant general, and that from monsieur Vernejour be referred to the board of war. That the letter from Mr. Price, and that from Joseph Trumbull, commissary general, be referred to the board of treasury.

Ordered, That 82.60 dollars be paid by a warrant on the treasurer, to monsieur Lotbinier for two months pay and rations as chaplain, from the 10th of January last.

Resolved, That the bills drawn by the treasurer of North-Carolina on the continental treasury, be paid as part of the 500,000 dollars ordered to be advanced to that state the 5th of February last.

Ordered, That the bill drawn by Governor Trumbull in favour of Nathaniel Shaw, for 25,000 dollars, be paid and charged to the state of Connecticut.

Ordered, That Carpenter Wharton lay his accounts before the board of treasury.

Ordered, That a committee of three be appointed to enquire into the conduct of the commissaries, and that they be impowered to send for persons and papers:

The members chosen, Mr. Lewis Morris, Mr. Clark, and Mr. J. B. Smith.

The board of war brought in a report which was taken into consideration; whereupon

Resolved, That monsieur Faneuil's scheme for officering, arming and cloathing a corps of Frenchmen, to be raised in the French islands, to serve in the United States, as mentioned in general Washington's letter of the 20th of February, be disapproved:

That general Washington be acquainted it is the opinion of Congress, no commission should be granted to foreign officers, to serve in these states, unless they are well acquainted with our language, and bring strong credentials of their abilities:

That general Washington be informed that no provision has been made by Congress for the support of widows, whose husbands have been slain in battle.

Ordered, That the letters of the 1st and 6th from general Washington, be referred to a committee of the whole Congress.

Resolved, That the pay-list transmitted by the general for the establishment of colonel Sheldon's regiment of cavalry be approved, which is as follows:

"Lieutenant

	Pay per month.
" Lieutenant colonel commandant,	75 dollars.
Major,	60
Captain,	50
Lieutenant,	33 1-3d.
Cornet,	26 2-3ds.
Adjutant,	33 1-3d.
Quartermaſter,	16 2-3ds.
Serjeant,	15
Corporal,	10
Trumpeter,	10
Private,	8 1-3d."

Reſolved, That the eſtabliſhment and pay of each regiment of light dragoons raiſed for the defence of the United States, as tranſmitted by the general, be approved, which is as follows:

	Pay per month.
" 1 Colonel,	93 dollars & 3-4ths.
1 Lieutenant Colonel,	75
1 Major,	60
1 Chaplain,	50
1 Quartermaſter,	50
1 Surgeon,	60
1 Mate,	40
1 Paymaſter,	50
1 Ridingmaſter,	33 1-3d.
1 Saddler,	10
1 Trumpet-major,	11
6 Troops, each conſiſting of	
1 Captain,	50
1 Lieutenant,	33 1-3d.
1 Cornet,	26 2-3ds.
1 Quartermaſter Serjeant,	15
1 Drill Serjeant,	15
1 Trumpeter,	10
1 Farrier,	10
4 Corporals, each	10
72 Privates, each	8 1-3d.

Note. The pay of the farrier and ſaddler being leſs than ſuch perſons can be had for, a ſmall ſtoppage from the men's pay muſt be made and given in aid, as is uſual in the Britiſh ſervice."

Reſolved, That the pay of Mr. Nathaniel Barber junior, deputy commiſſary of artillery in the eaſtern department, be 33 dollars and 1-3d. per month, and three rations a day.

Congreſs reſolved itſelf into a committee of the whole; after ſome time the preſident reſumed the chair, and Mr. L. Morris.

L. Morris reported that the committee have had under conſideration the letters to them referred and come to a reſolution thereon, which he was ordered to report:

The reſolution being read was agreed to, and is as follows:

Reſolved, That general Waſhington be informed that Congreſs cannot agree to any alteration in the reſolve paſſed on the 6th of January 1777. And as to the complaints of colonel Campbell, it was never their intention that he ſhould ſuffer any other hardſhip than ſuch confinement as is neceſſary to his ſecurity for the purpoſe of that reſolve:

Ordered, That a copy of the above reſolve, together with a copy of the letter from colonel Campbell to general Waſhington, be ſent to the council of Maſſachuſetts Bay:

Ordered, That a copy of the letter from colonel Campbell to general Waſhington be ſent to captain J. Bradford.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to morrow.

SATURDAY, *March* 15, 1777.

A letter of the 2d from general Wayne, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the board of war.

Reſolved, That 50,000 dollars be advanced to Mr. Carpenter Wharton: he to be accountable.

Reſolved, That 100,000 dollars be advanced to Mr. James Meaſe, clothier general; he to be accountable.

Reſolved, That 5000 dollars be advanced to the ſtate of Delaware; the ſaid ſtate to be accountable.

The board of war brought in a report which was taken into conſideration; whereupon

Reſolved, That as Congreſs proceeded to the diſmiſſion of doctor Stringer, upon reaſons ſatisfactory to themſelves, general Schuyler ought to have known it to be his duty to have acquieſced therein:

That the ſuggeſtion in general Schuyler's letter to Congreſs, that it was a compliment due to him to have been adviſed of the reaſons of doctor Stringer's diſmiſſion is highly derogatory to the honour of Congreſs; and that the preſident be deſired to acquaint general Schuyler that it is expected his letters for the future, be written in a ſtile more ſuitable to the dignity of the repreſentative body of theſe free and independent ſtates, and to his own character as their officer.

Reſolved, That it is altogether improper and inconſiſtent with the dignity of this Congreſs to interfere in diſputes ſubſiſting among the officers of the army, which ought to be ſet-

tled, unleſs they can be otherwiſe accommodated, in a court-martial, agreeably to the rules of the army; and that the expreſſion in general Schuyler's letter of the 4th of February, "that he confidently expected Congreſs would have done him that juſtice, which it was in their power to give, and which he humbly conceives they ought to have done," were, to ſay the leaſt, ill-adviſed and highly indecent.

Ordered, That an extract of thoſe parts of general Schuyler's letter of the 4th of February which relate to the ſtate of the garriſon of Ticonderoga, be tranſmitted by the board of war to general Waſhington.

Ordered, That the reſignation of lieutenant colonel John Brown, of colonel Elmore's regiment, raiſed in the ſtate of Connecticut, be accepted.

The board of treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That the commiſſioners in the northern department make an allowance to James Price, eſquire, for the time which he acted as deputy commiſſary general in Canada.

Reſolved, That there be advanced to Joſeph Trumbull, eſquire, commiſſary general, 400,000 dollars, by a warrant for 50,000 dollars on the commiſſioner of the loan-office for the ſtate of New-Hampſhire; and by a warrant for 350,000 dollars on John Gibſon, eſquire, auditor general:

That there be advanced to James Stevenſon, eſquire, one of the commiſſioners of accounts for the middle department, 600 dollars, by a warrant on the commiſſioner of the loan office for the ſtate of Connecticut; he to be accountable.

Reſolved, That there be paid to Allen M'Donald, Alexander, Archibald, Reynold, and Allen M'Donald, junior, for the allowance of two dollars per week, from the 18th of December to the 12th of March, being 12 weeks, 168 dollars.

Reſolved, That 300 dollars be paid to the reverend Mr. James Caldwell, of the ſtate of New-Jerſey, for extraordinary ſervices.

A petition from William Bernard was read, ſetting forth "that he ſailed from England in the month of November laſt, as mate of the brigantine Hanover, bound for St. Auguſtine, commanded by John Pinkham, and that in the paſſage the ſaid Bernard with the crew, conſiſting of ſix perſons, all inhabitants of theſe United States, ſeized the ſaid brig and carried her into North-Carolina, and praying that the ſaid brig and cargo may be diſtributed among them:"

Ordered,

Ordered, That the ſaid petition with the papers accompanying it, be referred to the marine committee.

The marine committee reported, "that there are ſeveral very fine prize ſhips in the ſtate of Maſſachuſetts-Bay, very ſuitable for the ſervice of the continent, and which may be fitted out at a ſmall expence; and that captain Daniel Waters, and captain Samuel Tucker, who were early employed by general Waſhington in cruizing veſſels and were very ſucceſsful and ſtrongly recommended by the general and others, are in their opinion proper to be appointed to the command of two of them;" whereupon

Reſolved, That the marine committee be impowered to give directions to the agents to purchaſe three ſhips, and order them to be immediately armed and fitted out for the ſervice of the United States, to be under the direction of the marine committee.

Reſolved, That Daniel Waters and Samuel Tucker be appointed captains in the navy of the United States, and that they have the command of two of the ſhips ordered to be purchaſed: and that the command of the other ſhip be given to captain John Paul Jones, until better proviſion can be made for him.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *March* 17, 1777.

Eight ſtates only attending, the ſeveral matters to this day referred were farther poſtponed, and Congreſs adjourned to 10 o'clock to-morrow.

TUESDAY, *March* 18, 1777.

Eight ſtates only attending this day, the matters referred over were farther poſtponed, and Congreſs adjourned to 10 o'clock to-morrow.

WEDNESDAY, *March* 19, 1777.

A letter from W. Attlee, of Lancaſter, incloſing a plan of the ſtockaded barracks in that place; one of the 4th from general Ward at Boſton; and three from French gentlemen; two from governor Livingſton of New-Jerſey; one from general Miffin; and one from Henry Fiſher at Lewiſtown to the council of ſafety of Pennſylvania; and one of the 14th from general Waſhington; were read:

Ordered, That the ſame be referred to the board of war.

A memorial from Jonathan Haſtings was read:

Ordered to lie on the table until the report on the poſt-office is taken into conſideration.

A letter of the 2d and 9th from colonel Morgan at Fort Pitt, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the committee on Indian affairs.

A petition from Thomas Henegan was read;

Ordered, That it be referred to the ſalt-petre committee.

Reſolved, That 100,000 dollars be advanced to the ſtate of New-Jerſey; the ſaid ſtate to be accountable.

Reſolved, That 100,000 dollars be advanced to the ſtate of Pennſylvania; the ſaid ſtate to be accountable.

Ordered, That a committee of three be appointed to inquire into the ſtate of the French officers, and that all applications of foreigners for ſervice in the army be referred to them:

The members choſen, Mr. Lovell, Mr. Heyward, and Mr. Roberdeau.

The board of war reported, "that there ſhould be advanced to colonel William Grayſon, 10,000 dollars according to his requeſt in his letter of the 7th to the ſecretary of the board; and that the ſame be ſent by the hands of Mr. Thompſon, as deſired in the ſaid letter; colonel Grayſon to be accountable:"

Ordered, That the ſaid ſum be advanced.

In conſequence of a farther report from the board of war.

Reſolved, That the baron de Arendt be appointed to the command of the German battalion in the room of colonel Hauſſeger.

Ordered, That the committee of ſecret correſpondence write a reſpectful letter to general the baron de Kalb, thank him for his obliging offer, and decline accepting it at preſent.

Reſolved, That general lord Stirling be informed, that as no loſſes ſuſtained by officers have hitherto been repaired by the public, Congreſs cannot grant his requeſt, leſt a dangerous precedent ſhould be eſtabliſhed.

Ordered, That the part of general Schuyler's letter of the 15th of February laſt, relating to ſhip carpenters wanted in the northern department, be referred to the marine committee.

Ordered, That an extract from general Schuyler's letter of the 4th of February, relating to ſtores wanted from the eaſtern department be tranſmitted to general Waſhington, and that he be directed to give orders for the ſupply of ſuch ſtores as are wanted in the northern department, and which can be procured from the eaſtward, and are not already appropriated

Reſolved, That John Schrop be appointed ſecond lieutenant, and Bartholomew Van Herr adjutant in the corps commanded by major Ottendorff.

A petition from William Garnet, George Patton, and Robert Brown was read, praying for leave to return to ſome of the Weſt-India iſlands:

Ordered, That the prayer of the petition be granted.

Ordered, That Mr. Serjeant be excuſed from ſerving on the marine committee, and that Mr. Clark be added to the ſaid committee in his ſtead.

Ordered, That an extract of Mr. Deane's letter relative to doctor Williamſon, be referred to a committee of five, and that they be impowered to ſend for doctor Williamſon and examine him:

The members choſen, Mr. Witherſpoon, Mr. Smith, Mr. Clymer, Mr. Wilſon, and Mr. Heyward.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *March* 20, 1777.

A letter of the 3d, from governor Trumbull at Lebanon, and two of the 10th, incloſing an intercepted letter from governor Wentworth; and one from J. Cockran were read;

Ordered, That the letter from governor Trumbull be referred to the marine committee; and that the intercepted letters be referred to the committee of intelligence

A letter from monſieur Bordes, one from general Gates, reſpecting colonel John Trumbull; and one of the 17th from general Putnam at Princeton were read;

Ordered, That the letter from monſieur Bordes be referred to the committee on foreign applications.

A letter of the 18th from general Waſhington, brought by general Green was read:

Ordered That general Greene attend Congreſs to-morrow at 11 o'clock.

Ordered, That Mr. J. B. Smith be excuſed from ſerving as manager of the lottery, he being appointed a member of Congreſs.

Ordered, That three managers be added to thoſe already appointed, and that to-morrow be aſſigned for electing them.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 clock to-morrow.

FRIDAY, *March* 21, 1777.

Reſolved, That £.625 Pennſylvania currency, equal to 1666 60 dollars be paid to Gam. Dowdell, and charged to the account of colonel Morgan of the Virginia forces, the ſame being in full of colonel Morgan's bill on the preſident, dated February 24, 1777, in favour of the ſaid

Gam. Dowdell, for the pay of the troops under his command.

Ordered, That 1600 dollars be advanced to Thomas Butler, continental armourer; he to be accountable:

That 13 30 dollars be paid to Timothy Shuler.

A petition from Levy Marks was read:

Ordered, That it be referred to the clothier general.

A petition from George Folger, Seth Jenkins, and Alexander Coffin was read, setting forth that some hard money and other articles have been detained from them by the owners of the privateer Congress:

Ordered, That it be dismissed; the matter belonging to the court where the judgment was given.

A letter from colonel Stewart to the committee on the affairs of the northern department was laid before Congress:

Ordered, That it be referred to the board of war.

Ordered, That the committee appointed on the 13th to confer with general Gates, do also confer with general Greene on the several matters given in charge to him by general Washington, and that three members be added to the committee:

The members chosen, Mr. Wilson, Mr. S. Adams, and Mr. Witherspoon.

The committee on foreign applications brought in a report, which was read and considered; whereupon

Resolved, That a copy of the resolve of the 13th, with a certificate signed by the secretary, setting forth, "That it is wholly and only upon the grounds mentioned in the said resolve that the bearer is not employed by these United States," be given to the chevalier de Bourneuf, monsieur de Bordes, monsieur de Luce, monsieur de Baurey, monsieur Devermond, monsieur de Vernis, the chevalier de Colerus, and monsieur Faneuil; and that the committee aforesaid be impowered to order a like certificate to such other foreigners applying for rank and service in the army of the United States, as they shall think proper.

Resolved, That the count de Mountfort be recommended to general Washington for a brevet of lieutenant.

Ordered, That 300 dollars be paid to monsieur Faneuil, to free him from those embarrassments which he has been brought into by pursuing his own great desire to enter into the service of these United States, in consequence of advice from the assembly of Massachusetts-Bay and general Washington.

Ordered, That 100,000 dollars be advanced to James Mease, clothier general; he to be accountable.

Resolved, That one million of dollars be sent by the treasurer

ſurer to John Gibſon, eſquire, auditor general; the ſaid money to be ſubject to the orders of Congreſs, and the auditor general to be accountable.

Ordered, That 30,000 dollars be advanced to Richard Dallam, eſquire, deputy paymaſter general of the flying camp; he to be accountable.

The board of war brought in a report, which was read and conſidered; whereupon

Ordered, That 500,000 dollars be immediately ſent to the paymaſter general.

Reſolved, That for preventing unneceſſary expence, when the militia of any of the ſtates is called to ſerve in the pay of the United States, no more officers ſhall be intitled to pay than a proper number in proportion to the privates, viz. for every company conſiſting of not leſs than thirty-ſix and under fifty privates, two commiſſioned officers; for every company not leſs than fifty and under ſixty-eight privates, three commiſſioned officers; for every company of ſixty-eight or more privates, four commiſſioned officers; and for every battalion of five hundred and more privates, three field officers; for every battalion under five hundred and not leſs than three hundred, a lieutenant colonel and major: and for any number of privates above one hundred and fifty and under three hundred, one lieutenant colonel or major.

Ordered, That general Sullivan's letter relative to monſieur Vernejoul, be referred to the committee on foreign applications.

Ordered, That general Mifflin's plan, with two letters from general Waſhington, for regulating the duty of the quartermaſter's department, be referred to the committee appointed to confer with general Gates and general Greene.

Congreſs reſumed the conſideration of the report of the board of war of the 12th; whereupon

Reſolved, That it be recommended to the council of the ſtate of Maſſachuſetts-Bay to erect, at the expence of the United States, in ſome convenient place in the county of Worceſter in the ſaid ſtate, barracks, with a ſtockade or incloſure ſurrounding the ſame, capable of containing 1500 priſoners, to be built of wood, as may appear to them moſt conducive to the public ſervice and in the end leaſt expenſive to the public.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *March* 22, 1777.

A letter ſigned John Roſs, dated New-York, having been intercepted, was read. The

The board of war brought in a report which was read and conſidered; whereupon

Ordered, That 300,000 dollars be advanced to major general Mifflin, for the uſe of the quartermaſter's department; he to be accountable.

Ordered, That 42 dollars be paid to William Sproat, being a balance due to him for his ſervices as clerk to the board of war.

Ordered, That the petition from Robert Lilly, with the annexed account be referred to the board of treaſury.

Reſolved, That two members be added to the board of treaſury:

The members choſen, Mr J. B. Smith, and Mr. L. Morris.

Ordered, That the managers of the lottery of the United States draw the ſame agreeably to the mode uſually practiſed in the ſtate lotteries in Europe, and frequently uſed in large lotteries in America, by putting all the numbers in one wheel, and the prizes only in the other.

Congreſs proceeded to the choice of three additional managers of the United States lottery, and the ballots being taken;

John Ord, Robert Ritchie, and James Budden were elected.

Ordered, That the bill dated March 9th 1777, drawn by William Palfrey, paymaſter general, for 3000 dollars, in favour of John Ramſey, be paid and charged to the account of the paymaſter general.

The report of the medical committee was taken up and conſidered, and after debate

Ordered, That the ſaid report, together with doctor Shippen's plan, be re-committed.

Ordered, That a committee of five be appointed to deviſe ways and means for preſerving the health of the troops, and for introducing better diſcipline into the army:

The members choſen, Mr. Wolcott, Mr. Roberdeau, Mr. Witherſpoon, Mr. S. Adams, and Mr. Clark.

Reſolved, That the board of war be impowered to contract with Mr. Wheeler for a number of cannon of the new conſtruction, invented by the ſaid Wheeler.

Ordered, That one million of dollars be ſent by the continental treaſurer to the auditor general, the ſaid money to be ſubject to the order of Congreſs, and the auditor general to be accountable.

The committee on departments brought in a report, which was read and conſidered; whereupon

Reſolved, That a ſecretary's office be forthwith eſtabliſhed and conſtantly kept in or near the ſtate-houſe or building where Congreſs ſhall from time to time hold its ſeſſion:

That

That it be under the direction of the secretary, and provided with a deputy secretary, to be appointed by Congress, with a salary of 800 dollars a year, and such a number of clerks as Congress shall direct, to be appointed by the secretary, with a salary of 480 dollars a year each:

That the secretary, deputy secretary, and clerks, before entering upon their office, shall severally take an oath, to be administered by the president, "well and faithfully to execute the trust reposed in them in their respective capacities according to their best skill and judgment, and to disclose no matter, the knowledge of which shall be acquired in consequence of such their office, and which they shall be directed to keep secret;" also the oath prescribed for officers of the army, and passed by Congress the 21st of October 1776; and that certificates thereof be given by the president and lodged with the secretary:

That such of the journals and papers of Congress as are secret in their nature, be kept by the secretary, and communicated to none, unless by particular order, but members of Congress and the deputy secretary, and that all others be kept and filed in the office aforesaid:

That all letters and other papers of Congress in the war-office or hands of the president, treasury or marine boards, the secret committee, or committee on Indian affairs, or any other committee or member of Congress, (excepting such as relate only to the business of the said boards or committees, and have never been received in Congress, or having been received have been committed to the same as belonging to the respective offices) be delivered to the secretary, to be by him disposed of as aforesaid:

That all letters and other papers that shall hereafter be committed by Congress to any board, committee or member thereof, be returned to the president or secretary with the report that may be made thereon; and that no original journal, letter or paper be delivered out of the office without an order of Congress and receipt for the same:

That such of the journals and papers belonging to the secretary's office as are in daily use by Congress, be each day after the adjournment sent to the said office; and attested copies of all the resolutions to be carried into execution by any state, officer, person or persons whatever and papers necessary to accompany the same, be sent without delay to the president, to be by him transmitted by express post, or other conveyance, as shall appear expedient or necessary; and that attested copies of any resolutions of Congress or public papers in the office be delivered to any of its members requiring the same,

Ordered,

Ordered, That Monday next be aſſigned for electing a deputy ſecretary.

The committee on the treaſury reported that there is due,

To Stewart Rowan, for ferriage of continental troops over Suſquehannah, 13.54 dollars:

To Price and Haywood, for travelling expences from Philadelphia to Albany in conſequence of a reſolve of Congreſs of the 13th of Auguſt laſt, and from Boſton to Philadelphia, and back, 220 dollars:

To Francis Trumbull, for eight chairs bought of him for the uſe of the treaſury office, 19.18 dollars:

To Thomas Burke, eſquire, for an advance made by him to nineteen North-Carolina priſoners, to enable them to pay their expences from Baltimore to Fredericktown, 139 30 dollars; the ſaid ſum to be deducted from the allowance due to the priſoners:

Ordered, That the ſaid accounts be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *March* 24, 1777.

A letter of the 22d from general Gates; one of the 26th of February from brigadier R. Howe at Charleſtown; one of the 12th of March from captain F. Wade; ſundry papers delivered in by colonel Flower; and a remonſtrance and petition from ſundry inhabitants of the counties of Accamack, Somerſet and Worceſter were read:

Ordered, That the letter from general Gates be referred to the committee on foreign applications:

That the papers from colonel Flower be referred to the board of war:

That the letter from captain Wade be referred to the committee appointed to inquire into the conduct of the commiſſaries:

That the remonſtrance and petition from the inhabitants of the counties of Accamack, Somerſet and Worceſter be referred to the delegates of Virginia and Maryland; and that the ſaid delegates ſend to their reſpective ſtates a copy of the ſaid remonſtrance and petition.

Reſolved, That monſieur Faneuil have the rank of a colonel by brevet in the continental army, without pay or rations.

The committee appointed to confer with major general Greene brought in a report which was taken into conſideration; whereupon

Reſolved, That general Waſhington be informed that it never was the intention of Congreſs, that he ſhould be bound

bound by the majority of voices in a council of war contrary to his own judgment:

That the commander in chief in every department be made acquainted that though he may conſult the general officers under him, yet he is not bound by their opinion, but ought finally to direct every meaſure according to his own judgment:

That if the officer commanding the army of the enemy will acknowledge major general Lee to be a priſoner of war, and intitled to be treated and exchanged as ſuch, general Waſhington be authoriſed to proceed in the exchange of priſoners, either according to the principles and regulations of the cartel already agreed to, or according to ſuch other and farther principles and regulations as ſhall appear to him moſt proper and advantageous:

That the pay of aids-de-camp, be equal to that of other officers of their rank.

Congreſs being informed that a veſſel is juſt arrived with a quantity of arms belonging to the continent, and alſo with ſome arms belonging to private perſons:

Ordered, That the ſecret committee purchaſe ſuch of the arms and military ſtores as belong to private perſons.

The medical committee, to whom the plan of the general hoſpital was re-committed brought in a report which was read;

Ordered, That the conſideration thereof be poſtponed till to-morrow.

A letter of the 14th from colonel F. Johnſon was read; whereupon

Ordered, That the independent company commanded by captain J. Nelſon be annexed to the battalion commanded by colonel F. Johnſon.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *March* 25, 1777.

A letter of the 15th from colonel G. Morgan at Pittſburg, with ſundry papers incloſed was read; whereupon

Ordered, That the committee on Indian affairs tranſmit to the commiſſioners of Indian affairs in the northern department the letter addreſſed to them by colonel Morgan, and ſignify to them that Congreſs approve of the meaſures mentioned therein.

Reſolved, That the governor and council of Virginia be deſired to ſuſpend any operations againſt the gang of Indians commonly called Pluggy's people, till they ſhall receive farther advice from Congreſs.

Ordered, That a copy of colonel Morgan's letter of the 15th and of the advices therein contained, be transmitted to the governor and council of Virginia.

The committee on the treasury brought in a report which was taken into consideration; whereupon Congress came to the following resolution:

Whereas by a resolve of Congress of the 3d of October, 1776, the commissioners of the loan offices were directed "to transmit to the continental treasurer once a month an account of the cash in their respective offices, and to answer all draughts of the treasurer to the amount of the cash which they shall have in their hands as aforesaid."

Resolved, That the several commissioners of the loan offices hereafter make monthly returns to the board of treasury of the cash in their respective offices, and that the same be draughted by warrants from the president only, which, previous to their being paid, shall be entered at the treasury office, and the entry certified on the warrant by one of the commissioners of the treasury, the auditor general, or one of his assistants or clerks.

A memorial from Lewis Prahl was read;

Ordered, That it be referred to the board of war.

Ordered, That the opinion of the council of officers on colonel Morgan's commission, inclosed in the colonel's letter of the 15th, be referred to the board of war.

Congress proceeded to the election of a deputy secretary, and the ballots being taken,

Mr. William Churchill Houston was elected.

The marine committee laid before Congress a paper signed by sundry officers in the fleet containing charges and complaints against commodore Esek Hopkins which was read and laid upon the table.

Resolved, That the board of war be directed to order the new battalions raised and raising on the west side of the Allegany mountains, to join the army under general Washington with all possible expedition.

Resolved, That general Gates be directed to repair immediately to Ticonderoga and take the command of the army there.

A letter of the 18th from the convention of New-York was read, recommending the appointment of a commandant of the forts in the highlands; whereupon

Resolved, That a commandant of the forts in the highlands be appointed, with the rank of brigadier general:

The ballots being taken,

George Clinton, esquire, was elected.

The several matters to this day referred being postponed adjourned to 10 o'clock to-morrow. WEDNESDAY,

WEDNESDAY, *March* 26, 1777.

A letter of the 14th from William Aylett, esquire, deputy commissary general at Williamsburgh, with sundry papers inclosed, and one of the 8th from general Schuyler, with sundry papers, were read:

Ordered, That they be referred to the board of war.

A letter of the 20th from the committee of Lancaster to the delegates of the state of Pennsylvania, inclosing sundry papers, was laid before Congress, and read:

Ordered, That the same be referred to a committee of three:

The members chosen, Mr. Wilson, Mr. J. Adams, and Mr. Sherman.

The board of war brought in a report, which was read and considered; whereupon

Resolved, That the government of the Delaware state be desired to place such a guard at Lewistown, at continental expence, as they shall think sufficient to protect the persons employed as pilots, and such property of the good subjects of these states as shall be thrown upon their or the adjacent coasts.

Ordered, That general Schuyler's general orders of February 1777, be transmitted to general Washington, for his perusal and consideration.

Ordered, That 8000 dollars be advanced to colonel Thomas Hartley, for cloathing and arming his battalion; he to be accountable.

Resolved, That a member be added to the board of war: The member chosen, Mr. G. Clymer.

Ordered, That 3000 dollars be advanced to captain Jacob Weaver, for the use of his independent company at Lancaster; he to be accountable.

The marine committee, to whom the petition of William Bernard was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That it is improper for Congress to interpose in the matter therein submitted to them in the present stage thereof.

Ordered, That the president acquaint general Washington that Congress expect the office of adjutant general to be filled by a speedy appointment of a person of abilities and unsuspected attachment to these United States; and recommend colonel William Lee to his consideration for this purpose.

Congress took into consideration the paper containing charges and complaints against commodore Hopkins; whereupon

Reſolved, That Eſek Hopkins be immediately, and he is hereby, ſuſpended from his command in the American navy.

The committee on the treaſury reported,

That there ſhould be preſented to Stirling Wade Cannon four dollars, to enable him to proceed to Maryland:

That there is due to major Harduen Merlet, for his pay and rations as captain from the 1ſt of September 1775, to the 20th of January 1776, 161.48 dollars: For his pay and rations as major from the 20th of January 1776 to the 15th of February 1777, 563.20 dollars;

The whole amounting to 724.68 dollars:

To Robert Patton, for cutting 9 cords of wood for the uſe of Congreſs, 9 dollars;

Ordered, That the ſaid accounts be paid.

Ordered, That the treaſurer ſend 100,000 dollars to Benjamin Harriſon junior, eſquire, deputy paymaſter general in Williamſburg in Virginia, for the public ſervice in his department; he to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *March* 27, 1777.

A letter of the 23d from general Waſhington was read, wherein he informs Congreſs that he has given permiſſion to colonel Palfrey, the paymaſter general, to come to Philadelphia to ſettle his accounts:

Ordered, That colonel Palfrey, the paymaſter general, be referred for the ſettlement of his accounts to the commiſſioners appointed to audit and ſettle the accounts of the army under the immediate command of general Waſhington.

A letter of the 23d from governor Johnſon of Maryland to the ſecret committee, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

Ordered, That Neil M'Arthur, and Alexander M'Kay, two of the North-Carolina priſoners, who have executed bonds and given approved ſecurity for their good behaviour and inoffenſive conduct towards the United States and every of them, be permitted to go to North-Carolina, to ſolicit the aſſembly thereof, for permiſſion to remain there in ſuch place, and under ſuch reſtrictions as the ſaid aſſembly ſhall direct; provided that the ſaid Neil M'Arthur, and Alexander M'Kay, if refuſed ſuch permiſſion, ſhall be

under

under obligation to return to their place of deſtination in Fredericktown in Maryland as ſoon as may be, or otherwiſe ſhall be deemed to have broken their parole.

Congreſs took into conſideration the report of the medical committee; and after debate

Ordered, That it be re-committed.

Ordered, That two members be added to the medical committee:

The members choſen, Mr. Clark, and Mr. Ellery.

A petition from Timothy Shalor, of the ſloop Lion was read, praying to be ſupplied with ſome rigging and 200lb. of powder:

Ordered, That it be referred to the ſecret committee, who are directed to ſupply him with the powder on his paying for the ſame, and alſo with the other articles if they cannot be purchaſed at private ſale.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Saturday.

SATURDAY, *March* 29, 1777.

A letter of the 19th from general Lee at New-York; one of the 26th from governor Livingſton of New-Jerſey, with ſundry papers incloſed; and one of the 16th from lieutenant colonel Antil were read:

Ordered, That the letter from governor Livingſton, with the papers incloſed, be referred to the committee for inquiring into the conduct of the Britiſh army: that the letter from lieutenant colonel Antil be referred to the board of treaſury.

Congreſs took into conſideration the letter from general Lee; whereupon

Reſolved, That Congreſs ſtill judge it improper to ſend any of their members to confer with general Lee upon the ſubjects mentioned in his letter.

Ordered, That 500 dollars be advanced to the board of war for contingent ſervices; the ſaid board to be accountable.

The board of war brought in a report, which was taken into conſideration; whereupon

Ordered, That 20,000 dollars be paid to Mr. Robert Wood, paymaſter of colonel James Wood's regiment raiſed in the ſtate of Virginia, for the uſe of the ſaid regiment; the colonel to be accountable, he having requeſted the ſupply by his letter of the 23d inſtant.

Reſolved, That the marine committee be authoriſed to advance to every able ſeaman that enters into the continental ſervice, any ſum not exceeding forty dollars, and

to

to every ordinary ſeaman or landſman any ſum not exceeding twenty dollars; to be deducted from their future prize money.

The committee to whom the letter from the committee of Lancaſter in Pennſylvania, to the delegates of that ſtate, together with the papers therein incloſed, were referred, brought in a report, which was read and conſidered; whereupon Congreſs came to the following reſolution:

Whereas Edmund Minyer, adjutant of the regiment commanded by colonel Moſes Hazen, ſtands charged by an inquiſition taken before the coroner of the county of Lancaſter in Pennſylvania, with the murder of Jacob Groſs, late of the ſaid county, deceaſed;

Reſolved, That the ſaid Edmund Minyer be delivered to the civil authority of Pennſylvania, that he may receive his trial according to law.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That Mr. Aylett, deputy commiſſary general in Virginia, be informed, in anſwer to his letter of the 14th inſtant, that the quantity of flour required by the commiſſary general, muſt by all means be purchaſed; that Mr. R. Morris conſents on his part to transfer to Mr. Aylett for continental uſe, a quantity of flour purchaſed in Virginia by Mr. Morris and Carter Braxton, eſquire, to whom Mr. Aylett is deſired to apply for a releaſe of his part of the concern: if this cannot be obtained, the like quantity and as much more as will compleat the commiſſary general's requiſition to be forthwith procured by Mr. Aylett whereſoever the ſame can be bought in the ſtate of Virginia:

That Mr. Aylett be alſo informed that Congreſs approve of the prices offered by him for corn, and that he proceed in the purchaſe of the quantity wanted by Congreſs or the commiſſary general at as low prices as the ſame can be obtained.

Ordered, That 200,000 dollars be ſent to the deputy paymaſter general in the ſouthern department.

Ordered, That a copy of Mr. Aylett's letter be ſent to the commiſſary general, and that Mr. Aylett be directed to ſtore the grain and proviſions purchaſed by him on continental account, until called for by order of Congreſs or the commiſſary general; and when ſuch requiſitions ſhall be made, the mode of tranſportation muſt be left to Mr. Aylett's diſcretion:

Reſolved, That the pay of the regimental paymaſters in the army of the United States be raiſed to forty dollars per month.

Ordered,

Ordered, That the case of John Jolly and John North, of New-Jersey, prisoners, be referred to the delegates of that state.

Resolved, That whenever any prisoners shall be taken by the army, or by any detachment of the army of the United States, or by any body of the militia, the commanding officer shall furnish the board of war with lists of such prisoners, together with the cause and manner of their capture and detention.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *March* 31, 1777.

The proceedings of a general court-martial held at Philadelphia the 29th of March 1777 on James Molesworth, accused of being a spy from the enemy, and for endeavouring to inveigle three pilots into their service to pilot the ships of war to the attack of this city, were laid before Congress and read; and it appearing thereby that the said James Molesworth is found guilty of the crimes laid to his charge, and sentenced to suffer death;

Resolved, That Congress approve the sentence aforesaid, and confirm the orders of major general Gates for the execution of it.

A letter of the 26th with two papers inclosed, and one of the 29th from general Washington; one of the 11th from the convention of New-York, with sundry papers inclosed; and one of the 30th from colonel Hartley were read;

Ordered, That the letters from general Washington and colonel Hartley be referred to the board of war; that the letter from the convention of New-York be referred to the delegates of that state.

Odered, That 1258 dollars be paid to messieurs Willing and Morris, and charged to the account of Esek Hopkins, the same being in full of a bill dated New-Providence, March 14, 1776, drawn by the said Esek Hopkins in favour of Alexander Frazer or order, and by him indorsed to Willing and Morris.

A letter from George Chardin Nicholson, and one of the 29th from the chevalier de Celeron, were read:

Ordered, That the said George Chardin Nicholson, and the chevalier de Celeron, be referred to major general Gates, who is impowered to employ them in such manner as he shall judge most for the interest of the United States.

Ordered, That 150 dollars be advanced to the chevalier de Celeron, to be deducted out of his future pay.

Resolved, That major general Gates be impowered and directed

directed to take with him, and employ under him in the northern department, brigadier de Roche Fermoy, and such other of the French officers in the service of the United States as he shall think proper.

A letter of the 20th from William Sever and Thomas Cushing at Boston, was read.

Congress having received advice that the ship Mercury of Nantz is arrived at Portsmouth in New-Hampshire with a cargo for the United States, consisting of 11,987 fusees, 1000 barrels of powder, 11,000 gun-flints, 48 bales of woollens, 9 bales of handkerchiefs, thread, cottons, and printed linens, 2 cases of shoes, 1 box of buttons and buckles, 1 box of lawns, and 1 case of needles and silk neckcloths;

Ordered, That 5000 of the arms be delivered to the order of the council of Massachusetts-Bay, for the purpose of arming the troops raised in that state for the army of the United States; and that the said council order two receipts to be taken from the several colonels, to whom the arms shall be delivered, and transmit one of the said receipts to the commissary of military stores, and the other to the board of war.

Ordered, That 15 tons of the powder be delivered to the order of the council of Massachusetts-Bay, to repay the powder advanced by that state, for the use of the continental army and navy; and that the said council transmit to the board of war, a particular account of the powder advanced by their state for the use of the United States, and the persons to whom delivered.

Ordered, That the secret committee deliver the remainder of the powder, arms, and flints to the order of the board of war, and the remainder of the cargo to the cloathier general, or his order.

Congress took into consideration the report of the committee on tories and disaffected persons; and after debate

Ordered, That it be re-committed.

The committee of the treasury reported on the letter of James Warren, esquire;

"That the loss sustained by James Warren, esquire, whilst paymaster general, in consequence of his keeping an additional office at Cambridge, at the request of the general, for the convenience of the army, as particularly set forth in the depositions of himself, Isaac Lothrop, esquire, and William Winthrop, amounting to 1401.42 dollars, ought to be allowed in the adjustment of his account at the treasury office;"

Ordered, That the said allowance be made.

Resolved,

Resolved, That two members be added to the committee for revising and printing the journals.

The members chosen, Mr. J. B. Smith and Mr. Brownson.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *April* 1, 1777.

A letter of the 29th of March from general Washington, one of the 21st of the same month, from brigadier Lewis, were read.

Ordered, That the letter from brigadier Lewis be referred to the board of war.

Resolved, That Ephraim Blaine, esquire, be appointed commissary, for supplying with provisions the troops now in the county of Cumberland, in Pennsylvania, and such as may hereafter march through that county, as well as the artificers and troops, who shall be employed in the magazine and laboratory, to be erected at Carlisle.

Congress proceeded to the election of three brigadiers, and the ballots being taken, the following gentlemen were chosen.

Colonel Edward Hand; colonel Charles Scott.

Resolved, That the election of the third brigadier general be postponed till to-morrow.

An appeal being lodged from the judgment of the court of Admiralty, for the state of Pennsylvania, on the libel John Balwin *v.* Robert Polke.

Ordered, That it be referred to the committee for hearing and determining appeals.

The committee on the treasury brought in a report, which was read and considered; whereupon

Ordered, That Messrs. Price and Haywood procure of general Schuyler, and the deputy paymaster general of the northern department, certificates of the specie which they have received, in consequence of an order of Congress, of the 13th of August last, and that the balance which shall appear to be due to them, on adjusting their accounts at the treasury office, be paid by a bill of exchange, to be drawn by the President on the Commissioners of the United States in France, and counter-signed by the auditor general.

Ordered, That the managers of the lottery of the United States, send such a number of tickets for sale, as they shall judge necessary to the paymaster and deputy paymaster general in the northern department.

For the better regulating the pay of the army;

Resolved, That the paymaster or deputy-paymaster general shall pay no money, but by warrants from the commanders in chief in their respective departments, countersigned by their respective secretaries; and that the money be paid only to the

perſon ſpecified in the warrant, or to his order in writing excepting in caſes otherwiſe provided by Congreſs.

That the regimental abſtracts be made up by the regimental paymaſters at the cloſe of every month, and certified by the reſpective colonels, or commanding officers and brigadiers, who ſhall carefully examine and compare the ſame with the weekly returns; after which they ſhall be lodged with the paymaſter, or deputy paymaſter general, until orders are given for the payment.

That the regimental paymaſters only ſhall receive from the paymaſter, or deputy paymaſters general the money due upon abſtracts to the officers and ſoldiers; and the ſaid regimental paymaſters alone ſhall ſettle with, and pay, the money due to the officers and ſoldiers of the regiments to which they reſpectively belong, either in perſon or to their order, and take receipts for the ſame, to be produced as vouchers on the ſettlement of their reſpective accounts.

That officers and ſoldiers, who may be priſoners of war, ſhall be made up in the abſtracts of the regiment to which they belong, to the time of their captivity, and authentic returns ſhall be made, with ſuch abſtracts of the names of the officers and ſoldiers aforeſaid, their rank and the company to which they belong, the time of their captivity, and the pay that was then due. And whenever ſuch priſoners are to be exchanged, a pay roll ſhall be made out by the paymaſter, or deputy paymaſter general, for the pay due to them, to the time of their return, and the money ſhall be ſent to them, and paid by the officer appointed to receive them, and their receipts immediately lodged with the paymaſter or deputy paymaſter general.

That whenever any regimental paymaſter leaves the ſervice, or is diſmiſſed, he ſhall make a return to the paymaſter or deputy paymaſter general of the names of the commiſſioned and non commiſſioned officers and ſoldiers of his regiment, who remain unpaid, the ſums due to them reſpectively, and what balance of caſh he has remaining; all which ſhall be lodged with the paymaſter, or deputy paymaſter general, to be by him delivered to the next paymaſter of the ſaid regiment, or otherwiſe diſpoſed of, as the commander in chief of the department may think proper.

That no commiſſioned or non-commiſſioned officer or ſoldier, coming from any department where a paymaſter or deputy paymaſter general is appointed, ſhall receive in any other department the pay that may be due to him, unleſs he produces a certificate from his colonel or commanding officer, counterſigned by the paymaſter, or deputy paymaſter general of the department to which he belongs, of the ſum bona fide due to him, and deliver the ſame with a receipt thereon.

Reſolved, That the pay of the aſſiſtant paymaſters, in the

northern department be augmented to forty dollars a month; and that they be allowed three rations a day.

Resolved, That the pay of the secretary to the commander in chief be augmented to one hundred dollars a month; and that Col. Harrison, the present secretary, be allowed that pay from the time of his appointment to that office.

The committee on the treasury reported,

That a warrant should be issued by the president on the loan officer for the state of Pennsylvania, in favour of Robert Morris, George Clymer and George Walton, esquires, a committee of Congress, for two hundred and fifteen thousand dollars, for which they are to account.

That another warrant issue on the same loan officer, in favour of the secret committee, for ten thousand dollars, for which the said committee shall account.

That James Wood, colonel of the 12th regiment of Virginia forces, in continental service, having borrowed of John Campbell, esquire, one thousand eight hundred dollars, for the use of his regiment, as appears by his receipts, and at the same time having drawn an order for the said sum, the same ought to be paid and charged to his account.

That there is due to James Warren, esquire, for the pay due to him as paymaster general, from the 4th of May to the 15th of June, 1776, being 42 days, at 1200 dollars per annum, 138.6 dollars, which sum should be paid by a warrant from the president on the loan office of the state of Massachusetts-Bay.

Ordered, That the said warrants be drawn, and sums paid accordingly.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That no officer already appointed, or to be hereafter appointed, in the army of the United States, shall take rank by virtue of a commission antedated, but rank shall be determined by the time of appointment, unless otherwise directed by special resolution of Congress.

Resolved, That it be recommended to the legislatures, and in their recess, to the executive powers of the respective states, that they forthwith transmit to the board of war exact lists of all officers appointed by them in the continental army, with the dates of their commissions and times of appointment.

Ordered, That major general St. Clair repair to Ticonderoga, and serve under general Gates; and that previous to his setting out, he repair immediately to Philadelphia, and there wait the further orders of Congress.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow. WED.

WEDNESDAY, *April* 2, 1777.

A letter of the 31ſt of March from general Waſhington, and one of the 19th of the ſame month, from the chevalier de Preudhomme de Borre were read.

Ordered, That the letter from the general be referred to the board of war.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That the paymaſter, and deputy paymaſter general, at the end of every month, after the firſt day of May next, ſhall make up rolls, containing the names of the general and other officers of the army, to which they reſpectively belong, who are not compriſed in the regimental abſtracts, excepting only the commander in chief of the ſeveral departments, who ſhall reſpectively examine ſuch rolls, and iſſue their warrants on the paymaſter or deputy paymaſter general, for the ſums due on the ſame.

That the commanders in chief of the ſeveral departments be directed to order payment to ſuch officers and detachments of the army, as ſhall at any time be ordered to other departments, to be made to the day of their marching or leaving the camp, and that certificates be given by the reſpective paymaſter or deputy paymaſter general, mentioning the names of ſuch officers and corps, together with the time to which they are paid, which certificates ſhall be delivered by the commanding officer of the reſpective detachments, or by ſuch officers as ſhall be ordered without detachments, to the paymaſter or deputy paymaſter general of the department to which they are ordered, to enable him to examine and make up their future rolls and abſtracts.

The committee appointed to confer with generals Gates and Greene, brought in a report, and deſired leave to ſit again.

Ordered, That they have leave, and that Mr. J. B. Smith be added to the ſaid committee.

Congreſs proceeded to the election of a third brigadier, and the ballots being taken,

Colonel Ebenezer Learned was choſen.

Ordered, That a copy of the letter, this day received from general Waſhington, be ſent to the council of Pennſylvania and to the governors of Delaware, Maryland and Virginia, and that governor Johnſon, of Maryland, be requeſted to give orders for the immediate removal of the powder and military ſtores at Annapolis to the town of Frederick, in Maryland, and the powder and military ſtores at Baltimore to the town of Carliſle, in Pennſylvania, and take meaſures to have this done with all poſſible expedition.

Congreſs reſumed the conſideration of the report of the medical committee on the hoſpital, and after debate,

Ordered, That the ſame lie for farther conſideration,

Ordered,

Ordered, That a committee of three be appointed, to reviſe doctor Shippen's plan for regulating the hoſpital, and report thereon.

The members choſen, Mr. Gerry, Mr. Burke, and Mr. J. Adams.

Ordered, That Mr Sergeant have leave of abſence, to viſit his family.

Ordered, That the board of war grant ſuch reward, as they judge proper, to the pilots who diſcovered and informed againſt James Moleſworth.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Friday.

FRIDAY, *April* 4, 1777.

Mr. Sykes, one of the delegates from Delaware attended, and produced the credentials of his appointment, which were read as follows:

"In council, February 22, 1777. Whereas Nicholas Van Dike and James Sykes, eſquires, have been choſen by joint ballot of both houſes in the general aſſembly, to repreſent the Delaware ſtate in the continental Congreſs, in the room and ſtead of John Dickinſon and John Evans, eſquires, *Reſolved*, That they, together with George Read, eſquire, or any one or more of them, are hereby fully authoriſed and impowered, for and in behalf of this State to concert, agree to and execute any meaſure, which they or he, together with a majority of the continental Congreſs, ſhall judge neceſſary for the defence, ſecurity, intereſt and welfare of this State in particular and America in general, with power to adjourn to ſuch times and places, as ſhall appear moſt conducive to the public ſafety and advantage.—Sent for concurrence.—Eodem die, in aſſembly, read and concurred.—Extract from the minutes, Slator Clay, clerk of the council.

Brigadier Armſtrong having requeſted leave to reſign, and for that purpoſe incloſed his commiſſion,

Ordered, That he have leave, and that his reſignation be accepted.

A remonſtrance and petition from ſundry perſons in York-Town, in Pennſylvania, was read.

Ordered, That the ſame, together with the papers incloſed, be referred to the board of treaſury.

Ordered, That the board of treaſury ſettle the accounts of col. Hand, who is promoted to the rank of brigadier, in order that he may deliver up his regiment, and enter upon the duties of his new office as ſoon as poſſible.

The ſecret committee having by direction of Congreſs, in their reſolve of the firſt of December laſt, appointed Meſſrs. Abraham Livingſton and William Turnbull agents, to repair to the

the eaſtern ſtates, for the purpoſe of purchaſing and collecting cloathing for the uſe of the army, which buſineſs they have aſſiduouſly performed, and for which purpoſe the ſaid committee advanced to the ſaid agents twenty thouſand dollars at the time they ſet out, and the farther ſum of one hundred and twenty thouſand dollars, granted to them for that purpoſe the 15th of February laſt, as appears by the order of Congreſs of that date, and the receipts of theſe two ſums are acknowledged by the ſaid agents, in their letters dated the 19th and 22d of March laſt: It alſo appearing, that the ſaid agents have drawn ſundry bills on the ſaid committee, which are not yet paid; and whereas general Waſhington, agreeably to the powers veſted in him by Congreſs, has lately appointed James Meaſe, eſquire, clothier general for the American army, whoſe buſineſs it now is to ſettle and adjuſt all accounts reſpecting the cloathing of the army, Therefore

Reſolved, That the ſecret committee be credited in the treaſury books for 140,000 dollars paid by them to the ſaid Meſſrs. Abraham Livingſton and William Turnbull, and that the ſame be charged to James Meaſe, eſqr; who is to ſettle all accounts with the ſaid agents, reſpecting the buſineſs in which they have been employed, and to pay the draughts they have drawn, or may rightfully draw on the ſaid committee, or on him as clothier general, and that he alſo be impowered to make them reaſonable compenſation for their ſervices.

The committee appointed to confer with general Greene, brought in a farther report, which was taken into conſideration; whereupon

Reſolved, That there be one commiſſary-general of muſters for the army of the United States;

That there be four deputy muſter maſters general;

That the ſaid appointments be made by Congreſs:

That one deputy muſter maſter be appointed to each grand diviſion of the army, and that theſe appointments be made by the commander in chief.

That the troops be muſtered once in every month by the deputy muſter maſters, and once at leaſt in every three months the deputy muſter maſter general of each department ſhall ſuperintend at ſuch muſter.

That, in muſtering, particular attention be paid to the cloaths, arms, accoutrements and pay of the troops, and a report made to the commanding officer of the department, of neglect or deficiency.

That on every muſter five rolls be made out by the captain or commanding officer of every company or troop, ſworn to and ſigned by him and one other commiſſioned officer; one of which rolls ſhall be returned to him, certified by the officer of muſters, one other ſhall be tranſmitted to the board of treaſury, one to

the

the paymaſter general of the department, and one to the regimental paymaſter, to be affixed to the pay rolls.

That the deputy muſter maſter general of each department return an abſtract of each muſter roll once a month, to the deputy adjutant general of that department, and one other abſtract to the commiſſary general of muſters.

That the commiſſary general of muſters return to the adjutant general, once a month, an abſtract of all the muſters, regimentally digeſted, together with an abſtract of the rations drawn or retained by the ſeveral regiments.

That the iſſuing commiſſaries be obliged to deliver monthly to the commiſſary general of muſters, an abſtract of the rations drawn or retained by the ſeveral regiments.

That the adjutant general be ordered to ſend monthly to the board of war a copy of the abſtracts, which he received from the commiſſary general of muſters, together with an abſtract of the returns of the army.

That the pay of the commiſſary general of muſters be 60 dollars a month, and 4 rations a day.

That the pay of the deputy muſter maſter general be 50 dollars a month, and 3 rations a day.

That the pay of a muſter maſter be 35 dollars a month, and 2 rations a day.

That the board of war ſend to the board of treaſury copies of the abſtracts of rations, that may be included in the adjutant general's returns.

Ordered, That Monday next be aſſigned for the appointment of the commiſſary general of muſters, and deputy muſter maſters general.

Reſolved, That every officer, commanding a regiment, troop or company, who ſhall, upon notice given to him by any officer of muſters, refuſe or neglect to aſſemble the regiment, troop or company under his command, ſhall, on proof thereof, before a general court martial, be caſhiered.

A letter of the 18th of December laſt, from George Galphin, was read.

Ordered, That the ſame, with the papers incloſed, be referred to the committee on Indian affairs.

Reſolved. That the body of militia, applied for to the ſtate of North-Carolina, during the laſt winter, by the ſtate of South Carolina, then under apprehenſion of an invaſion from the enemy, be conſidered as part of the five thouſand militia, recommended by Congreſs to be embodied by the ſtate of North-Carolina, for the aſſiſtance of South-Carolina or Virginia, as occaſion might require, and that the expence thereby accruing, be defrayed out of the continental treaſury.

Reſolved, That all captures made or to be made by veſſels bearing commiſſions, iſſued by the Preſident of South-Carolina, previous

previous to this 4th day of April, be considered as valid, as if made under continental commissions and that a copy of this resolve be transmitted to each of the United States, as a law in any prize cause, which may be depending or instituted in any of the courts therein, and to secure the condemnation of vessels taken under such commissions Congress having been made acquainted, that Mr. President Rutledge has granted commissions for letters of marque and privateers, for want of proper information, that by a former resolve of Congress such commissions were to be granted by Congress only.

Resolved, That the invitation given, at the desire of Mr. President Rutledge by Mr. Galphin, to the Creek Indians, to form a Congress in the ensuing spring, be approved; that the state of South-Carolina be reimbursed the expences, which may attend such meeting, and that Mr. Galphin do use his endeavours to persuade some of the Creek chiefs to attend him to Philadelphia, and that Congress will defray the charges of their journey.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That blank commissions be sent to Henry Fisher, of Lewis-Town, with orders to raise on the continental establishment an independent company, for the safe guard of the pilots and the persons and goods of other well affected inhabitants and subjects of these states, residing or being near Lewis-Town and the coasts of Delaware bay; and that Mr. Fisher be informed, that if he chuses to accept the command of the company, Congress will confirm him therein; but if he should decline the acceptance thereof, that he be desired to nominate a proper person to fill that station, and in either case, that he nominate the subalterns.

Resolved, That the managers of the lottery of the United States be impowered to order monies, arising from the sales of tickets in those States, where there are no commissioners of the loan office, to be paid into the treasury of such State, the said State to be accountable.

That the managers of the lottery of the United States be authorised to defer the drawing of the said lottery, if they find it necessary.

The committee on the treasury reported,

That there is due to James Smythers, for a copper-plate and planishing, made by David Cummings, for the purpose of printing the loan office certificates and engraving the same, 37.60 dollars.

To Gerrard Hopkins, for 26 cloak-pins and putting them up, for the use of Congress, at Baltimore, 3.24 dollars.

That R. R. Livingston, R. T. Paine and J. Langdon, esqrs. a committee of Congress, who in November, 1775, repaired to Ticonderoga, expended on the journey 510.43 1-2 dollars

for

for which they ought to have credit, together with the sum of 101 dollars, returned by Mr. Paine into the hands of John Gibson, esqr. the auditor general, with which he is to be charged.

Ordered, That the said sums be paid, and the said credit and debit made accordingly.

A letter of this day from col. B. Flower, commissary general of military stores, was read.

Ordered, That it be referred to the board of treasury.

The committee on the hospital brought in a report, which was read.

Ordered, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *April* 5, 1777.

A letter of the 2d, from general Washington, inclosing a copy of one of the 29th of March, from brigadier M'Dougal, giving an account of the enemy's attack on Peek's-kill was read.

Ordered, That the baron d'Arendt, colonel of the German battalion, repair immediately to head-quarters.

Ordered, That two months pay be advanced to col. d'Arendt, he to be accountable.

Ordered, That 1000 dollars be advanced to the delegates of Connecticut, and charged to the account of that State.

Whereas the general assembly of the State of Rhode-Island and Providence plantations did, at their session in October last, pass a resolve, empowering the governor to grant commissions or letters of marque and reprisals to private vessels of war, giving such instructions, and taking such bonds as should be agreeable to the resolutions of Congress, until commissions could be procured from Congress;

Resolved, That acts done under such commissions, as have hitherto been granted by the governor of the said State, by virtue of the said resolve, be of the same force and validity, as if they had been granted by Congress, under the signature of the President.

That it be recommended to the governor of the State aforesaid, not to grant any more commissions, to recal such as he may have issued, and to deliver out continental commissions in their stead.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That the case of doctor Connolly be committed to the Supreme Executive Council of the State of Pennsylvania; and that it be recommended to them, to examine into the matter, and, if they think proper, to indulge the prisoner with

ſuch liberty as they ſhall conceive to be conſiſtent with the public ſafety.

Ordered, That 2000 dollars be advanced to Carpenter Wharton, for the public ſervice, he to be accountable.

Congreſs took into conſideration the report on the hoſpital, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed to Monday next.

The committee on the treaſury reported,

That there ſhould be paid to the State of South-Carolina the ſum of three hundred dollars, being ſo much received of the ſaid State by Jacob Morris, aid de camp, for account of general Lee, the general to be charged with the ſame.

That there is due to captain Matthew Duncan, for his pay from the 5th of January, 1776, to the 5th of January, 1777, being 12 months, at £.10 a month, £.120 for his rations, from the 25th of September, to the 5th of January, being 101 days, at three rations a day, 303 rations, at 8d. £.10 2; and for his arms and accoutrements, loſt at the attack on Quebec, at which time he was a volunteer, £.8 the whole being £.148 2, dollars at 7/6d. is 394.4 dollars.

That there ſhould be paid to Lowman and Hubley 6000 dollars, being ſo much borrowed of them by lieut. col. Antil, for the uſe of col. Hazen's regiment, and for which col. Hazen is to be accountable.

That there ſhould be paid to William Attle, eſquire, the ſum of 4000 dollars, being ſo much borrowed of him by lieut. col. Antil, for the uſe of col. Hazen's regiment, and for which col. Hazen is to be accountable.

That there ſhould be advanced to Ephraim Blaine, eſquire, in part payment of the balance due to him for proviſions, furniſhed the troops, and in advance towards his furniſhing proviſions, in conſequence of his late appointment, 15,000 dollars.

That there ſhould be advanced to col. Benjamin Flower, commiſſary general of military ſtores, for the uſe of his department, the ſum of one hundred thouſand dollars, he to be accountable.

That there ſhould be paid to Samuel Wheeler, for one wrought iron 3 pounder field piece, the ſum of 161.30 dollars.

Ordered, That the ſame ſums be paid.

Ordered, That 6000 dollars be paid William Wilſon, for account of col. G. Morgan, who is to be accountable.

Ordered, That the arrears of pay, due to brigadier Armſtrong, to the time of his reſignation, be paid him, and that there be alſo paid to him the arrears of pay, due to his brigade major.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY,

MONDAY, *April* 7, 1777.

Ordered, That 500 dollars be paid to capt. Bartholomew Burke, for the purpose of recruiting a company, the same being in full of an order in his favour on William Palfrey, esquire, by general Washington, dated at head-quarters, Morris-Town, the 4th of March, 1777.

Ordered, That the resolution passed on Saturday, respecting John Connolly, be for the present suspended.

A letter of this day from James Mease, and an extract from the minutes of the Council of the State of Pennsylvania, were read.

Ordered, That the same be referred to the board of treasury, and that the council of the State of Pennsylvania be desired to lay before the board of treasury an account of the expenditure of the money advanced to their State by Congress.

A letter of the 24th of March, from the Council of Massachusetts-Bay; one of the 29th of the same month, from William Finnie, deputy quarter-master general in Virginia; one of the 5th instant, from general Putnam, at Princetown, with sundry papers inclosed; one of the 24th of March, from col. G. Morgan, at fort Pitt, with sundry papers inclosed; and one of the same date, from H. Crawford, with the proceedings of a council of war, and sundry other papers inclosed, were read.

A memorial from sundry inhabitants of Westmoreland, in Pennsylvania; and a representation from lieut. col. Antil, in favour of adjutant Minyer, were read.

Ordered, That the letters from col. George Morgan and H. Crawford, with the papers inclosed, be referred to the board of war; and that the said board send with all possible dispatch such a supply of rifles, ammunition and military stores as they shall judge necessary for the protection and defence of the inhabitants of the western frontiers, against any hostile attempts of the Indians, or others.

Major general Schuyler attended and took his seat in Congress as a delegate from the State of New-York.

William Duer, esquire, a delegate from New-York, also attended and produced the credentials of his appointment, which were read as follows:

"In convention of the representatives of the State of New-York, March 29th, 1777, *Resolved*, That William Duer, esquire, be and is hereby appointed a delegate or representative of this State, in Congress. By order, Abraham Ten Broek, President. Attested, John M'Kesson, secretary."

A letter of the 20th January, and one of the 1st of March, from the convention of New-York, with an extract from the minutes of the committee of safety of the said State, dated the 20th of January, 1777; also a petition from col. Seth Warner, were laid before Congress and read.

Ordered, That the letter from the council of Maſſachuſetts-Bay be referred to the marine committee; that the letter from William Finnie, and the petition from colonel Warner, be referred to the board of war: That the letters from the convention of New-York lie on the table.

Ordered, That the deputy paymaſter general in Virginia pay to the governor and council of Virginia 4000 dollars, for the purpoſe of paying the bounties of the 200 men ordered to be raiſed for garriſoning the forts on the Ohio.

Ordered, That 1000 dollars be advanced to Robert Jewel, keeper of the ſtate priſon, he to be accountable.

A letter from John Houſe, maſter of the ſloop Fortune, was read.

Ordered, To lie on the table.

Ordered, That the ſtate of the military cheſt in the northern department be referred to the board of treaſury.

Ordered, That the ſtorekeeper of the magazine of proviſions at Lebanon, in Pennſylvania, deliver to Ephraim Blaine, eſquire, forty barrels of beef and forty barrels of pork, the ſaid E. Blaine to be accountable.

Congreſs reſumed the conſideration of the report on the hoſpital; whereupon

Reſolved, That there be one director general of all the military hoſpitals which ſhall be erected for the continental army in the United States, who ſhall particularly ſuperintend all the hoſpitals between Hudſon's and Potomac rivers.

That there be one deputy director general, who, in the abſence of the director general, ſhall ſuperintend the hoſpitals to the eaſtward of Hudſon's river.

That there be one deputy director general, who, in the abſence of the director general, ſhall ſuperintend the hoſpitals in the northern department.

That when the circumſtances of the war ſhall require it, there be one deputy director general, who, in the abſence of the director general, ſhall ſuperintend the hoſpitals in the ſouthern department.

That the director general, or, in his abſence, the deputy director general in each reſpective department, be impowered and required, with the advice and conſent of the commander in chief therein, to eſtabliſh and regulate a ſufficient number of hoſpitals at proper places for the reception of the ſick and wounded of the army, to provide medicines, inſtruments, dreſſings, bedding, and other neceſſary furniture, proper diet, and every thing requiſite for the ſick and wounded ſoldiers, and the officers of the hoſpitals; to pay the ſalaries, and all other expences of the ſame.

That there be aſſiſtant deputy directors, to ſuperintend the hoſpitals committed to their care, and aſſiſt in providing the articles

before

before ſpecified under the orders and controul of the director or deputy director general of the reſpective diſtricts.

That there be one apothecary general for each diſtrict, whoſe duty it ſhall be to receive, prepare and deliver medicines, and other articles of his department to the hoſpitals and army, as ſhall be ordered by the director general, or deputy directors general reſpectively.

That the apothecaries be allowed as many mates as the director general, or reſpective deputy director general, ſhall think neceſſary.

That there be a commiſſary of the hoſpitals in each of the aforeſaid diſtricts, whoſe duty it ſhall be to procure, ſtore and deliver proviſions, forage and ſuch other articles as the director or deputy director general ſhall judge neceſſary for the uſe of the hoſpitals; in the purchaſe of which he ſhall frequently conſult with the commiſſary and quarter maſter general, and be regulated by the prices which they give.

That the commiſſary be allowed ſuch aſſiſtants and ſtore-keepers as the director general, or deputy director general of the diſtrict ſhall judge neceſſary.

That a ſteward be allowed for every hundred ſick or wounded, who ſhall receive proviſions from the commiſſary, and diſtribute them agreeable to the orders of the director general or, in his abſence, of the deputy director general, or phyſician, or ſurgeon gen. and be accountable to the commiſſary for the ſame.

That a matron be allowed to every hundred ſick or wounded who ſhall take care that the proviſions are properly prepared; that the wards, beds and utenſils be kept in neat order, and that the moſt exact economy be obſerved in her department.

That a nurſe be allowed for every ten ſick or wounded, who ſhall be under the direction of the matron.

That an hoſtler or ſtabler be allowed to each hoſpital, to receive the horſes from the commiſſary, and to take care of the waggon and other horſes belonging to the hoſpital, purſuant to orders from the director general, or, in his abſence, the deputy director general, or ſuch other officer as he ſhall appoint.

That there be a clerk in each diſtrict, whoſe buſineſs it ſhall be to keep the accounts of the hoſpitals, and to receive and deliver the monies agreeable to the orders of the director or deputy director general.

That a ſufficient number of aſſiſtant clerks be allowed.

That ſuch officers and ſoldiers as the general ſhall order to guard the hoſpitals and to conduct ſuch, as ſhall be weekly diſcharged the hoſpitals, to their reſpective regiments, ſhall, while on this duty, obey the director or deputy director general, or the phyſicians and ſurgeons general.

That the director and deputy directors general be reſpectively empowered to appoint and diſcharge their aſſiſtant deputy directors

directors and other said officers and attendants of the hospitals in such numbers as the necessities of the army may require, and the commanders in chief of the department shall in writing approve; report of which to be immediately made to Congress, as hereafter directed.

That there be also one physician and one surgeon general in each district, to be appointed by Congress, whose duty it shall be respectively to superintend the practice of physic and surgery in all the hospitals of the district, to which they shall be appointed, and in the absence of the director or deputy director general, they shall have power to order the physicians, surgeons and other officers of the several hospitals to such duty as they shall think proper, and shall report weekly to the director general, or, in his absence, to the deputy director general, or, in his absence, to the assistant deputy director, the state and number of the sick and wounded in the hospitals, and the delinquent officers of the same, and see that such, as may be fit, shall be delivered every week to the officer of the guard, to be conducted to the army.

That there be allowed also senior physicians and surgeons, who shall attend, prescribe for, and operate upon and see properly treated such sick and wounded, as shall be allowed them by the director general, deputy director general, or assistant director, or physician or surgeon general; the number for the district to be determined by the director or deputy director general, and appointed by the surgeon and physician general.

That there be also such a number of second surgeons as the director or deputy director general for the district shall judge necessary to assist the senior surgeons, and be under the same direction, and to be appointed by the physician and surgeon general as aforesaid.

That there be also such a number of mates as the director general or deputy director general of the district shall direct, who shall assist the surgeons in the care of the wounded, and see that the medicines are properly and regularly administered, and appointed in the manner before directed for senior and second surgeons.

That a suitable number of covered and other waggons, litters and other necessaries for removing the sick and wounded, shall be supplied by the quarter master or deputy quarter master general, and in cases of their deficiency, by the director, or deputy director general.

That there be one physician and surgeon general for each separate army, who shall be subject to the orders and controul of the director general and deputy director general of the district wherein he acts; That his duty shall be to superintend the regimental surgeons and their mates, and to see that they do their duty, to hear all complaints against the

said

ſaid regimental ſurgeons and mates, and make report of them to the director general, or, in his abſence, to the deputy director, or, in their abſence from the ſaid army, to the commanding officer thereof, that they may be brought to trial by court martial for miſbehaviour; to receive from the director general or deputy director general a ſuitable number of large ſtrong tents, beds, bedding, medicines and hoſpital ſtores, for ſuch ſick and wounded as cannot be removed to the general hoſpital with ſafety, or may be rendered fit for duty in a few days; and ſhall alſo ſee that the ſick and wounded, while under his care, are properly attended and dreſſed and conveyed when able to the general hoſpital, for which laſt purpoſe he ſhall be ſupplied by the director general or deputy director with a proper number of convenient waggons and drivers.

That each phyſician and ſurgeon general of the armies ſhall appoint ſuch a number of ſurgeons, nurſes and orderly men as the director or deputy director general ſhall judge neceſſary for the more effectual care and relief of the ſick and wounded under the care of ſuch phyſician and ſurgeon general as provided in the laſt foregoing ſection; and the ſaid phyſicians and ſurgeons general ſhall have under them in each army a ſteward to receive and properly diſpenſe ſuch articles of diet as the director general or deputy director general ſhall give, or order to be given him, by the commiſſary of the army or hoſpital.

That whenever any regimental ſurgeon or mate ſhall be abſent from his regiment without leave from the ſaid ſurgeon general, or the commander in chief of the army where his duty lies, the ſaid ſurgeon general ſhall have power to remove ſuch ſurgeon or mate, and forthwith to appoint another in his ſtead.

That the director, deputy directors, phyſicians and ſurgeons general, and all other officers before enumerated, ſhall be tried by a court martial for any miſbehaviour or neglect of duty, as the commander in chief of the ſeveral armies ſhall direct.

That the phyſician and ſurgeon general of each army ſhall cauſe daily returns to be made to him of all the ſick and wounded which have been removed to the hoſpitals, all that remain in the hoſpital tents, all that are become fit for duty, all that are convaleſcent, and all who may have died, ſpecifying the particular maladies under which the ſick and wounded labour.

That the ſaid phyſicians and ſurgeons general ſhall cauſe weekly returns of the ſame to be made to the director or deputy director general reſpectively.

That the phyſicians and ſurgeons general of the hoſpitals cauſe like daily returns to be made in every hoſpital, and the like weekly returns to their reſpective directors, *mutatis mutandis*.

That the deputy directors general cauſe the like returns to be made once every month to the director general, together with the names and denominations of all the officers in the reſpective hoſpitals.

And

And that the director general ſhall make a like return for all the hoſpitals and armies of theſe United States once every month to the medical committee.

That the medical committee have power to appoint any of their members to viſit and inſpect all or any of the medical departments, as often as they ſhall think proper, to inquire into the conduct of ſuch general officers of the hoſpital as ſhall be delinquent in this or any parts of their duty, and to report their names to Congreſs with the evidence of the charges, which ſhall be brought againſt them.

Ordered, That the farther conſideration of the report be poſtponed till to-morrow.

The board of war brought in a report, which was taken into conſideration; whereupon

Ordered, That 6600 dollars be paid to colonel Abraham Bowman, of the eighth Virginia regiment, late Muhlenberg's, on account of pay due to the ſaid regiment, the colonel to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 clock to-morrow.

TUESDAY, *April* 8, 1777.

Ordered, That 274 dollars be paid to John Cadwallader, eſq. the ſame being in full of an order in his favour, drawn by general Waſhington, January 23, 1777, for ſo much advanced to captain James Lee's company of artillery.

Ordered, That a warrant for 12000 dollars be drawn on John Gibſon, eſquire, and another warrant on Michael Hillegas, eſq. for 12000 dollars, both in favour of col. Stephen Moylan, theſe being in part of a warrant of general Waſhington, in favour of the ſaid colonel Moylan.

That an order for twenty thouſand dollars be drawn on the treaſurer in favour of Jonathan Hudſon, for the public ſervice, the ſaid Jonathan Hudſon to be accountable.

The committee on the treaſury reported.

"That Mr. James Cuthbert, of Canada, ſupplied a detachment of the army while there under the command of brigadier general Thompſon, with wheat, flour, boards and plank, to the amount of one thouſand and ſixty-three pounds ſeventeen ſhillings and two-pence, New-York currency; of which ſum, ſix hundred pounds were drawn for, on the paymaſter general for the northern department, by John Winſlow, the aſſiſtant paymaſter, in favour of colonel Donald Campbell, deputy quarter maſter general, and by him indorſed to the ſaid James Cuthbert, and by the laſt to Elias Boudinot, eſquire, which ſaid bill was by direction of the then commander in chief in Canada proteſted under a miſtaken information, that the ſaid Cuthbert was an enemy to his country: That on the 3d of Auguſt laſt general Thompſon

ſettled

settled the account with the said Cuthbert, and then drew a bill in his favour for the residue, being four hundred and sixty-three pounds, seventeen shillings, and two pence, on William Palfrey, esquire, paymaster general, which was also endorsed to Mr. Boudinot, and remains unpaid. That Mr. Boudinot hath been too long kept out of his money, and has been at considerable expence in soliciting payment, and that a warrant should now be granted for £.1106:9:7, New-York money, equal to 2766.18 dollars, and that the first mentioned draught for six hundred pounds, New-York currency, should be charged to Mr. Winslow, until he renders to the commissioners for settling accounts, vouchers of the expenditure of the provisions for the payment of which he drew his bill;" whereupon

Ordered, That the said sum be paid and charged accordingly.

A letter of the 28th of March from governor Henry of Virginia, and a petition from sundry inhabitants of the New-Hampshire grants, accompanied with a number of papers, were read.

Ordered, That the letter from governor Henry be referred to the board of war: That the petition with the papers accompanying it, lie on the table.

Resolved, That a committee of three be appointed to prepare a plan for regulating the mode of receiving applications made to Congress.

The members chosen Mr. Gerry, Mr. S. Adams, Mr. Ellery.

Ordered, That the report of the committee of the whole house on the articles of confederation, be taken into consideration on Monday next, and that two days in each week be employed on the subject until it shall be wholly discussed in Congress.

The committee on the treasury reported that there is due to Frederick Bicking for 140 reams of paper for continental bills of credit, 1400 dollars.

To William Semple, Benjamin Harbeson, and Jonathan B. Smith, for the expence of convoying a waggon to Cambridge, and for conducting colonel Kirkland and son prisoners from Cambridge to Philadelphia, from 9th December to 16th January £.134:8:2, equal to 358.38 dollars.

That there should be advanced to the state of Pennsylvania, agreeable to the request of the council of the said state, the sum of one hundred thousand dollars, the said state to be accountable.

That there should be paid to the honorable board of war, to be by them sent to Jonathan Trumbull, esq. deputy pay-master general, for the use of the northern army, the sum of 400,000 dollars.

That there should be advanced to James Mease, esq. for the purpose of cloathing the army, the sum of 100,000 dollars.

Ordered, That the said sums be paid.

Resolved, That Michael Hillegas, esquire, treasurer, be directed to send from Baltimore to John Gibson, esquire, audi-

The committee on departments brought in a report, which was read.

Ordered, That it be taken into consideration on Thursday next.

The committee, to whom it was referred to consider what honours should be paid to the memories of generals Warren and Mercer, brought in a report, which being read, was agreed to as follows.

That a monument be erected to the memory of general Warren, in the town of Boston, with the following inscription.

In honor of
JOSEPH WARREN,
Major general of Massachusetts-Bay.
He devoted his life to the liberties
of his country,
and, in bravely defending them, fell
an early victim,
in the battle of Bunker's hill,
June 17, 1775.
The Congress of the United States,
as an acknowledgment of his services,
and distinguished merit,
have erected this monument
to his memory.

That a monument be erected to the memory of general Mercer, in Fredericksburg, in the state of Virginia, with the following inscription.

Sacred to the memory of
HUGH MERCER,
Brigadier general in the army of
the United States.
He died on the 12th of January, 1777, of the
wounds he received on the 3d of the same month,
near Princetown, in New-Jersey,
bravely defending the liberties of
America.
The Congress of the United States,
in testimony of his virtues, and their gratitude,
have caused this monument to be erected.

That the eldest son of general Warren, and the youngest son of general Mercer, be educated from this time at the expence of the United States.

Resolved, That the following gentlemen be appointed officers in the regiment commanded by colonel Hazen.

Matthew

Mathew M'Connel, Robert Burns, John Carliſle, Benjamin Chambers, James Rodolph Reid, William Popham, John Thompſon and James Heron, captains.

— Duncan, William Erſkine, Michael Gilbert, John Hughes, Reuben Taylor, Samuel Alexander, Thomas Piey and Robert Campbell, firſt lieutenants.

John Gibſon, Michael Montgomery, James Stedman, Alexander Teas, William M'Michael, James Anderſon, Robert Craig and William Stewart, ſecond lieutenants. James Thompſon, quarter-maſter.

Reſolved, That it be recommended to the governor and council of ſafety of New-Jerſey, not to call into the field ſuch part of their militia, not exceeding forty, as are neceſſarily employed in the ſalt works now erecting in their ſtate by the government of Pennſylvania, provided it be not inconſiſtent with the laws of that ſtate.

A letter of the fifth from general Waſhington, with a letter and papers incloſed from the chevalier d'Preudhomme de Borre, alſo a letter of the 2d from the convention of New-York, were read.

Ordered, That the letter from general Waſhington with the papers incloſed, be referred to the committee on foreign applications.

That the letter from the convention of New-York be referred to the board of war.

Congreſs reſumed the conſideration of the report on the hoſpital; whereupon

Reſolved, That in time of action and on any other emergency, when the regimental ſurgeons are not ſufficient in number to attend properly to the ſick and wounded, that cannot be removed to the hoſpitals, the director or deputy director general of the diſtrict be empowered and required, upon the requeſt of the phyſician and ſurgeon general of the army, to ſend from the hoſpitals under his care to the aſſiſtance of ſuch ſick or wounded, as many phyſicians and ſurgeons as can poſſibly be ſpared from the neceſſary buſineſs of the hoſpitals.

That the director, deputy directors general, aſſiſtant deputy directors, phyſicians and ſurgeons general, be, and they are hereby required and directed to employ ſuch parts of their time, as may conveniently be ſpared from the duties before pointed out to them, in viſiting and preſcribing for the ſick and wounded of the hoſpitals under their care.

That the eſtabliſhment of the medical department be as follows,

Director general,	-	6 dollars a day &	9 rations.
Deputy director general	-	5 do. -	6 do.
Aſſiſtant deputy director,	-	3 do. -	6 do.
Phyſician general and Surgeon general each,	-	5 do. -	6 do.
Phyſician and ſurgeon general of the army,		5 dol.	6 do.

Senior surgeons each, -	4 dollars,	6 rations.
Second surgeons each, -	2 do.	4 do.
Surgeons mates each, -	1 1-3 do.	2 do.
Apothecaries general each, - -	3 do.	6 do.
Ditto mates each, -	1 1-3 do.	2 do.
Commiſſary, - -	2 do.	4 do.
Clerk, who is to be paymaſter,	2 do.	4 do.
Aſſiſtant clerks each, -	2-3 do.	1 do.
Stewards each, - -	1 do.	2 do.
Matron, - - -	1-2 do.	1 do.
Nurſes each, - -	$\frac{24}{90}$ do.	1 do.
Stabler -	1 do.	1 do.
Regimental ſurgeons, -	2 do.	4 do.
Ditto mates each, -	1 1-3 do.	2 do.

Adjourned to 10 clock to-morrow.

WEDNESDAY, *April* 9, 1777.

A letter of the 8th from general Putnam at Princeton, was read.

Ordered, That a copy of the ſaid letter be delivered by the delegates of Pennſylvania, to the executive council of the ſaid ſtate

Ordered, That 1300 dollars be advanced to Robert Ervin, waggon maſter general, for the public ſervice, he to be accountable.

A certificate from Artemas Ward, reſpecting Joſeph Ward, was laid before Congreſs and read.

Ordered, That it be referred to the board of treaſury.

A petition from ſundry inhabitants of the town of Weſtmoreland, was read.

Ordered, To lie on the table.

Reſolved, That a committee of five be appointed to conſider what ſteps are proper to be immediately taken by Congreſs, and recommended to the ſtate of Pennſylvania, for oppoſing the enemy, if they ſhould attempt to penetrate through New-Jerſey, or to attack Philadelphia.

That the ſaid committee be inſtructed to confer on theſe ſubjects with the executive power of the ſtate of Pennſylvania and with the general officers now in Philadelphia.

The members choſen, Mr. Wilſon, Mr. Clymer, Mr. R. H. Lee, Mr. Clark, and Mr. J. Adams.

Sundry perſons being nominated for the office of commiſſary general of muſters.

Reſolved, That the election be poſtponed till to-morrow.

Ordered, That to-morrow be aſſigned for nominating gentlemen for the offices of director and deputy directors general, phyſicians general and ſurgeons general of the military hoſpital, and of phyſicians and ſurgeons general of the reſpective armies, and that the election be on the day following.

The

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the commiſſary general of military ſtores, be directed immediately to furniſh as many rifles, not exceeding one thouſand, to be ſent to fort Pitt, as he can procure, and that the quarter maſter general furniſh ſuch things as are in his department, for the uſe of the troops ſtationed at Pittſburg, and on the frontiers of Virginia and Pennſylvania, agreeable to a liſt furniſhed by col. George Morgan.

That an experienced officer be ſent to fort Pitt to take the command on the frontiers aforeſaid, and to embody ſuch of the militia, not exceeding one thouſand, there, as he ſhall think adequate to the defence of the country.

That the two hundred men directed by Congreſs to be raiſed by a reſolution on the 8th January laſt, ſhall not be called to any other ſervice, without their conſent, than that expreſſed in the ſaid reſolution.

That one ton of lead be ſent to Pittſburg from Philadelphia.

That the governor of Virginia be deſired to ſend four tons of lead from that ſtate to Pittſburg.

Reſolved, That Jacob Baur be appointed a captain, and Lawrence Meyer a firſt lieutenant in the corps commanded by major Ottendorf.

Reſolved, That it be recommended to the good people of the ſtates to furniſh the commiſſary general of military ſtores, with all ſuch articles as he may want for the uſe of the army at a reaſonable price; and that the ſeveral legiſlatures or executive powers of the ſtates, be deſired to exempt from military duty all perſons in the militia, who are or ſhall be employed in caſting ſhot, and manufacturing military ſtores of every ſpecies, while ſuch perſons ſhall be employed in the ſaid ſervice.

The committee on the treaſury reported,

"That there is due to Chriſtopher Ludwig, for maintaining Heſſian priſoners, and for caſh paid to ſeveral Heſſian deſerters who brought in their arms, 123.34 dollars.

Ordered, That the ſaid account be paid.

The board of treaſury brought in a report, which was taken into conſideration, whereupon Congreſs came to the following reſolution.

To remedy the inconveniencies ariſing from the payment of money by ſeveral paymaſters in the ſame department.

Reſolved, That the paymaſter and deputy paymaſters general be directed forthwith to conſult the commanders in chief of their reſpective diſtricts, and appoint deputies to repair to ſuch poſts and places of rendezvous, and anſwer the draughts of ſuch officers ſtationed thereat, as the ſaid commanders in chief ſhall reſpectively direct; that the deputies be ſupplied with money by the reſpective paymaſter and deputy paymaſ-

ters

ters general, and account with them therefor, and that all other paymasters of the army cease to act at the posts and places provided with deputies as aforesaid.

Resolved, That Mr. James Meafe, and Mr. Richard Dallam, be directed forthwith to prepare and render to the commissioners for settling the accounts of the army, in the states of New-York and New-Jersey, their respective accounts for monies advanced to them by the United States, excepting only the sums received by the former as clothier general of the army; and the commissioners are directed to attend without delay to the settlement of their accounts,

That the commissioners to be appointed to examine such claims against the United States as may be presented to Congress for payment, when a necessary attention to their other duties will admit thereof, shall adjust the accounts of any public bodies, person or persons whatever, to whom money has been advanced by the United States, which may be referred to them by Congress or the board of treasury.

Resolved, That the pay of the last mentioned commissioners be four dollars a day.

Ordered, That the secret committee sell to the delegates of New-Jersey, a quantity of sulphur not exceeding 1000lb. if the same can be spared.

Resolved, That Timothy Hughes be appointed a captain in colonel Livingston's regiment.

Adjourned to 10 o'clock to-morrow.

THURSDAY, *April* 10, 1777.

A letter of the 8th from general Mifflin; a petition from Allen M'Donnel, a prisoner at Reading; a petition from Thomas Lowry, and a letter of the 7th from Joseph Borden, and one of the 8th from Christian Febiger, were read.

Ordered, That the petition from Thomas Lowry be referred to the board of treasury.

That the letter from Joseph Borden, esquire, be referred to the board of war; and that they return a box of cartridges to the county of Burlington, in lieu of the box belonging to them, which was expended by continental troops.

Resolved, That one thousand dollars be advanced to lieut. col. Christian Febiger, for the use of his regiment; he to account with the paymaster general, when the first pay roll is made up for the said regiment.

Resolved, That an order for forty thousand dollars be drawn on the commissioners of the loan-office for the state of Pennsylvania, in favor of the navy board, the said board to be accountable.

The committee appointed to revise and amend the articles of war, brought in a report, which was read.

Ordered, To lie on the table.

The

The committee appointed to consider what steps are proper to be immediately taken by Congress, for opposing the enemy, brought in a report, which was taken into consideration; whereupon

Resolved, That a camp be immediately formed on the western side of Delaware, to which the continental troops now in Philadelphia, and on their march from the southward and westward, shall be ordered to repair with all expedition.

That it be recommended to the supreme executive council of the commonwealth of Pennsylvania, to put not less than three thousand of the militia of that state in readiness to march to the camp before mentioned, on the shortest notice.

That proper officers be immediately dispatched to inquire into the number and condition of the troops at Annapolis, and between that city and Philadelphia, and to hasten the march of such as are fit for service.

Resolved, That general Schuyler, be, and he is hereby directed to carry the foregoing resolutions into execution.

Ordered, That a copy of the foregoing resolutions be sent to the supreme executive council of Pennsylvania.

Ordered, That general Washington be immediately informed, by express, of the resolves now agreed on; and that Congress mean not, by forming a camp on the west-side of Delaware, to delay the continental troops, or to prevent their joining the army under his command as fast as he shall think proper to order them; and that the committee, who brought in the report, prepare a letter to the general, assigning the particular reasons that induced Congress to come into these resolutions.

Resolved, That Mr. James Mease be directed to advance to col. Joseph Wood, a sum sufficient to pay the arrears due to his battalion, taking his receipt for the money advanced, and transmit the same to the paymaster general, to be produced against him on the settlement of his accounts of his battalion.

The board of treasury brought in a report, which was taken into consideration, whereupon

Resolved, That general Washington be directed to transmit to the board of war, a list of his appointments, in consequence of the powers with which he is invested by Congress, together with a copy of all commissions orginating from and issued by him.

That the commanders in chief of the several departments, previous to the discharge of any regiment or corps of militia reinforcing the army, be respectively directed to issue their warrants on the paymaster or deputy paymaster general for the amount of the pay due to the same; and when the military chest is unsupplied, the paymaster or deputy paymaster general is authorised to draw on the president for the amount of such warrants.

Resolved, That brigadier general Hand be, and he is hereby ordered immediately to repair to fort Pitt, and take measures for the defence of the western frontiers, agreeably to the reso-

Resolved, That the commissary general of musters, have the rank of colonel in the army of the United States: That the deputy muster-masters general, have the rank of lieutenant colonels in the army of the United States.

Congress proceeded to election, and the ballots being taken,

Joseph Ward, esq; was elected commissary general of musters.

Richard Varick and William Bradford, jun. were elected deputy muster-masters general.

Ordered, That the election of the other two be postponed till to-morrow.

Adjourned to 10 o'clock to-morrow.

FRIDAY, *April* 11, 1777.

A letter of the 9th from general Washington, one of the 8th from president M'Kinley, and one of the 9th from general Putnam, were read.

Ordered, That the letter from president M'Kinley be referred to the board of treasury.

Resolved, That president M'Kinley be requested, with the advice of his council, to appoint a suitable person to supply with provisions the company to be stationed for the protection of Lewistown and the neighbourhood.

A letter of the 10th from general Washington, with sundry papers inclosed, respecting the exchange of prisoners; and a letter from the chevalier de Vrecourt, were read.

Ordered, That the papers respecting the exchange of prisoners be published; that the letter from the chevalier de Vrecourt, be referred to the committee on foreign applications, and that the general's letter with the other papers be referred to the board of war.

Congress proceeded to the election of the two remaining deputy muster-masters general, and the ballots being taken,

William Yates and George Noarth were elected.

Congress then proceded to the election of officers in the hospital department, and the ballots being taken,

Doctor William Shippen, jun. was chosen by the unanimous ballot of the thirteen States, director general of all the military hospitals for the armies of the United States.

Doctor Walter Jones, physician general of the hospital in the middle department.

Doctor Benjamin Rush, surgeon general of the hospital in the middle department.

Doctor John Cochran, physician and surgeon general of the army in the middle department.

Doctor Isaac Foster, deputy director general of the hospital in the eastern department.

Doctor Ammi Ruhamah Cutter, physician general of the hospital in the eastern department.

Doctor

Doctor Philip Turner, surgeon general of ditto.

Doctor William Burnet, physician and surgeon general of the army in the eastern department.

Doctor Jonathan Potts, deputy director general of the hospital in the northern department.

Doctor Malachi Treat, physician general of ditto.

Doctor Forgue, surgeon general of ditto.

Doctor John Bartlett, physician and surgeon general of the army in the northern department.

Resolved, That a committee of three be appointed to make diligent enquiry respecting the truth of an information just given to Congress, of a quantity of provisions being laid up in the city of Philadelphia; and if upon enquiry the same be found true, to take effectual measures in conjunction with the board of war of Pennsylvania, for preventing the same from falling into the hands of the enemy.

The members chosen, Mr. Duer, Mr. S. Adams, and Mr. Clark.

The board of treasury reported,

That there is due to doctor J. Ramsey, and to be paid to the honorable Jonathan Elmer, for sundry medicines supplied the New-Jersey troops, 24.42 dollars.

To doctor James Tilton, for sundry medicines supplied the battalion of the state of Delaware, 26.60 dollars.

To doctor William Currie, for sundry medicines supplied the 5th, or colonel Johnston's Pennsylvania battalion, 135.56 dollars.

To John Skinner, for sundry provisions supplied the troops at Cranberry in the state of New-Jersey, and for his pay as assistant commissary, agreeable to his account as settled by Mr. Carpenter Wharton, deputy commissary general, 939.8 dollars; this sum being exclusive of waggonage and other charges to be settled in the quarter master general's department.

To William Whipple, esquire, for the expence of conveying 60,000 dollars from Philadelphia to the state of New-Hampshire, 69.9 dollars.

Ordered, That the said accounts be paid.

Resolved, That general Schuyler be directed to issue warrants on Mr. Mease, for the payment of arrearages due to the Maryland militia, that served in the army during the winter campaign.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That one hundred and seventy-five fire arms, either musquets or rifles, two hundred weight of powder, eight hundred weight of lead, and five hundred flints be sent to the town of Westmoreland, on the east branch of Susquehannah river, to the care of colonel Nathan Dennison, to be used by the militia there for the defence of the said town, if necessary; the arms to be returned when the service there

That the pay of the deputy quarter master general in the northern department be raised to 60 dollars a month, in consideration of the extraordinary trouble that attends the execution of the office in that department.

That the pay of brigade majors in the continental army, be raised to 50 dollars a month.

That the pay of the regimental chaplains in the continental army be raised to 40 dollars a month.

That the pay of the judge advocate be raised to 60 dollars a month.

That colonel Morgan procure as much of the provision ordered by Congress to be laid up at fort Pitt, by their resolution of the 7th of January last, as general Hand shall think necessary.

That general Hand determine the number and kind of cannon necessary to be sent to fort Pitt.

That three tons of powder be sent to fort Pitt from Lancaster.

That colonel Flower, commissary general of military stores be empowered to purchase two hundred rifles and their accoutrements, to be sent to fort Pitt.

That general Hand have discretionary power as to the number of men to be embodied for the defence of the frontiers, if on any emergency, he shall think a greater number than one thousand necessary.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

Resolved, That the chevalier de Preudhomme de Borre, have the rank and pay of a brigadier general in the army of the United States of America, from the first day of December last; according to the compact made between him and the honorable Silas Deane, esquire.

Adjourned to ten o'clock to-morrow.

SATURDAY, *April* 12, 1777.

Resolved, That one hundred thousand dollars be advanced to doctor William Shippen, director general, for the use of the hospital; he to be accountable.

A letter of the 9th from commodore Hotham, on board the Roebuck, in old Hoarkil Road, directed to R. Morris, esquire, was laid before Congress and read.

Ordered, That the same be referred to the marine committee.

Resolved, That a committee of three be appointed to devise ways and means of aiding the recruiting service, and preventing abuses therein.

The members chosen, Mr. Burke, Mr. Wilson, and Mr. R. H. Lee.

Congress proceeded to the election of commissioners, to examine such claims against the United States, as may be presented to Congress for payment; and the ballots being taken.

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John Benezet, Robert Ritchie, and Thomas Fitzſimons, were elected.

Reſolved, That the ſurgeons general and phyſicians general of the hoſpitals, ſhall each of them regulate the practice of both phyſic and ſurgery, and do the duty of phyſician and ſurgeon general in the hoſpitals reſpectively committed to their charge, and that the director and deputy directors general take proper care to keep the ſick and wounded in ſeparate departments.

A memorial from Robert Levers was read; whereupon

Reſolved, That Mr. Meaſe be directed to advance to Robert Levers, paymaſter of the 12th Pennſylvania battalion, the ſum of 2453·57 dollars; and that the ſame be charged to his account, and his receipt tranſmitted to R. Dallam, eſquire, that he may account for the ſame at the ſettlement of his accounts.

The committee on the poſt-office brought in a report, which was taken into conſideration; whereupon

Reſolved, That the poſt-maſter general be authoriſed to make an additional allowance to the deputy poſt-maſters, of any ſum not exceeding 200 dollars per annum, when he ſhall find the ſame to be abſolutely neceſſary.

That 2000 dollars be advanced to the poſt-maſter general, he to be accountable.

Reſolved, That five hundred dollars be allowed for erecting the monument to general Warren, and the like ſum for erecting the monument to general Mercer.

Reſolved, That it be recommended to the executive powers of Maſſachuſetts-Bay and Virginia, to take the moſt effectual meaſures for carrying into execution the reſolutions of Congreſs, paſſed the 8th inſtant, reſpecting generals Warren and Mercer.

Reſolved, That the commiſſioners for examining claims againſt the United States, ſhall take an oath of office and fidelity to the United States, to be adminiſtered by the preſident, and a certificate thereof filed in the treaſury, previous to their entering upon the duty of their appointments.

A memorial from major Romand de Liſle; a memorial from Monſieur Imbert, and one from Monſieur de Bordes, were read; whereupon

Ordered, That the ſum of 64 dollars be advanced to each of the memorialiſts, for the purpoſe of paying their paſſage to St. Domingo.

Reſolved, That the count de Vrecourt be appointed an engineer in the ſervice of the United States, with the rank and pay of a colonel.

Congreſs took into conſideration the report of the committee on departments; whereupon

Reſolved, That the ſame be recommitted.

The committee appointed to deviſe means for introducing

The committee of Congress at Philadelphia, which acted during the time Congress sat at Baltimore, produced a state of their accounts and expenditures, and also a copy of the letters and papers received, and of those written by them; whereupon

Ordered, That the accounts be referred to the board of treasury, and that the other papers be lodged in the secretary's office.

The committee of appeals having reported that they have heard the appeal entered on the part of Jonathan Burnel, and others, owners or claimants of the brigantine Sherburne, &c. from the verdict found, and sentence of condemnation passed in the court of admiralty for the port of Philadelphia, in the state of Pennsylvania, against the said brigantine, fully argued, and proceeded to give judgment thereupon, and the opinions of the said committee, to wit, James Wilson, Jonathan D. Sergeant, John Adams, Roger Sherman, Thomas Burke and William Ellery, being delivered, the said committee was equally divided, by reason whereof no judgment could be given.

Whereupon, in order that no failure of justice may ensue;

Resolved, That a committee of five be appointed to rehear and determine the said appeal.

The members chosen Mr. Heyward, Mr. R. H. Lee, Mr. Clymer, Mr. Duer and Mr. Rumsey.

Adjourned to ten o'clock on Monday.

MONDAY, *April* 14, 1777.

A letter of the 13th from general Putnam; one of the 12th from H. Fisher, at Lewistown; and one of the 2d from brigadier A. Wayne, at Ticonderoga, with sundry papers inclosed were read.

Ordered, That the letter from brigadier Wayne, with the papers inclosed, be referred to the board of war.

The board of war brought in a report, which was taken into consideration; whereupon

Ordered, That one thousand dollars be advanced to captain Samuel Kearsly, to enable him to raise the company to which he is appointed by general Washington.

Resolved, That the company appointed to be raised under the command of captain Samuel Morehead, for the defence of the frontier inhabitants and public stores, at and near the Kittaning, shall not be called to any other service without their consent.

Resolved, That Charles Seitz be appointed adjutant to the corps commanded by major Ottendorf, in the room of Bartholomew van Herr, appointed in the artillery.

The committee appointed to devise means for aiding the recruiting service, and preventing abuses therein, brought in a report, which was read and considered; whereupon

Resolved, That it be recommended to the executive powers of each of the United States, to enquire into the conduct of all offi-

ers on the recruiting ſervice within their reſpective ſtates; to remove ſuch as belong to the battalions of their reſpective quotas, who have neglected their duty, or abuſed the truſt repoſed in them, and ſhall be found within their reſpective juriſdiction; and to fill up all vacancies which may happen by ſuch removals; to tranſmit to Congreſs all ſuch teſtimony as ſhall be taken againſt any officer or officers, who may have marched or removed from the ſtate to whoſe battalions he or they belong, and againſt any officer or officers belonging to the quota of another ſtate, who may have been guilty of neglect or miſbehavour in the ſtate where the inquiry ſhall be made.

That it be recommended to the ſaid executive powers to procure exact returns of the continental troops in each, and tranſmit the ſame to Congreſs without delay. And all officers and ſoldiers of the continental army, are hereby required to pay the ſtricteſt regard to the orders of the executive powers of the ſeveral ſtates touching the aforeſaid premiſes.

Reſolved, That it be recommended to the legiſlatures of each of the United States, to enact laws exempting from actual ſervice any two of the militia, who ſhall within the time limited by ſuch laws, furniſh one able bodied recruit to ſerve in any battalion of the continental army for the term of three years, or during the preſent war: ſuch exemption to continue during the term for which the recruit ſhall inliſt, every ſuch recruit to be intitled to the continental bounty and other allowances.

That it be recommended to the legiſlatures aforeſaid reſpectively, to enact laws compelling all ſuch perſons as are by laws exempted from bearing arms or performing militia duties, other than ſuch as are ſpecified in the foregoing reſolve, to furniſh ſuch a number of able bodied ſoldiers, as the ſaid legiſlatures reſpectively ſhall deem a proper equivalent for ſuch exemptions; ſuch ſoldiers to be intitled to the continental bounty and other allowances, over and above ſuch gratuities as they may receive from thoſe who procure them to inliſt.

Alſo to permit the inliſting of ſervants and apprentices, and to prohibit the impriſoning, or otherwiſe reſtraining the perſons of ſoldiers in the continental ſervice, for any debt not exceeding fifty dollars.

And whereas it is of the greateſt moment to the cauſe of American freedom, that an army of conſiderable ſtrength take the field early in the enſuing campaign;

Reſolved, That if the ſeveral quotas of the ſtates cannot be furniſhed by the means recommended in the foregoing reſolutions, or any other means by the ſaid legiſlatures deviſed, before the fifteenth day of May next, it is recommended to each ſtate to cauſe indiſcriminate draughts to be made from their reſpective militia.

That it be recommended to the ſaid legiſlatures to apply all the means by theſe reſolutions recommended, in the manner which they

they shall judge most effectual for speedily compleating the army, and in case they shall prove unsuccessful, that they cause the draughts aforesaid to be made.

Resolved, That the executive power of each state, be authorised and empowered to order such officers as they shall judge proper from the respective battalions and companies of their respective quotas, to remain within the state for the purpose of aiding in inlisting and collecting the recruits, which may be furnished under the above recommended regulations, and to convey the same to the battalions and companies to which they belong; such officers to be under the direction of such executive powers respectively.

The committee appointed to confer with the board of war of Pennsylvania, brought in a report, which was read and considered; whereupon Congress came to the following resolutions;

Whereas the state of Pennsylvania is threatened with an immediate invasion, and from the adjournment of the legislative and executive authority of the commonwealth, it is impracticable to carry into immediate execution many measures of the utmost importance, not only to the safety of the said commonwealth, but likewise to the general welfare of the United States;

Resolved, That it is the indispensible duty of Congress to watch over all matters, the neglect of which, may, in its consequences, deeply affect the welfare of the United States, till such time as the legislative and executive authorities of the commonwealth of Pennsylvania can resume the exercise of their different functions.

Resolved, That his excellency the president of the supreme executive council of the commonwealth of Pennsylvania, be requested forthwith to convene the legislative and executive authorities of the state of Pennsylvania, in order that proper measures may be pursued for the defence of the same.

Resolved, That a committee of three be appointed to confer with the president of the supreme executive council, and such other members of the said council as can be convened, with the board of war for the state of Pennsylvania, and with the delegates of the said state in Congress, concerning the mode of authority which they shall conceive most eligible to be exercised during the recess of the house of assembly and the council, in order that the same, if approved by Congress, may be immediately adopted.

The members chosen, Mr. S. Adams, Mr. Duer, and Mr. R. H. Lee.

The committee appointed to revise and amend the articles of war, brought in a report, which was taken into consideration; whereupon

Resolved, That from and after the publication hereof the second article of the 8th section, the first article of the 11th section, the eighth article of the 14th section, and the second article of the 18th section, of the rules and articles for the better govern-

ment

ment of the troops raiſed, or to be raiſed, and kept in pay, by and at the expence of the United States of America, paſſed in Congreſs the 20th day of September, one thouſand ſeven hundred and ſeventy-ſix, ſhall be, and they are hereby repealed; and that the four following articles be ſubſtituted in the place and ſtead thereof.

Article 1. All officers and ſoldiers ſhall have full liberty to bring into any of the forts or garriſons of the United States of America, any quantity of eatable proviſions except where any contracts are, or ſhall be entered into by Congreſs, or by their orders for furniſhing ſuch proviſions, and with reſpect only to the ſpecies of proviſions ſo contracted for.

Article 2. If any officer ſhall think himſelf to be wronged by his colonel, or the commanding officer of the regiment, and ſhall upon due application made to him, be refuſed to be redreſſed, he may complain to the continental general commanding in the ſtate where ſuch regiment ſhall be ſtationed, in order to obtain juſtice; who is hereby required to examine into the ſaid complaint, and take proper meaſures for redreſſing the wrong complained of, and tranſmit as ſoon as poſſible to Congreſs a true ſtate of ſuch complaint, with the proceedings had thereon.

Article 3. No ſentence of a general court-martial ſhall be put in execution, till after a report ſhall be made of the whole proceedings to Congreſs, the commander in chief, or the continental general commanding in the ſtate, where ſuch a general court-martial ſhall be held, and their or his orders be iſſued for carrying ſuch ſentence into execution.

Article 4. The continental general, commanding in either of the American ſtates for the time being, ſhall have full power of appointing general courts-martial to be held, and of pardoning or mitigating any of the puniſhments ordered to be inflicted for any of the offences mentioned in the afore mentioned rules and articles for the better government of the troops; except the puniſhment of offenders under ſentence of death by a general court-martial, which he may order to be ſuſpended until the pleaſure of Congreſs can be known, which ſuſpenſion with the proceedings of the court-martial, the ſaid general ſhall immediately tranſmit to Congreſs for their determination. And every offender convicted by any regimental court-martial, may be pardoned or have his puniſhment mitigated by the colonel or officer commanding the regiment.

Reſolved, That the reſolution paſſed the 27th of December laſt, for erecting a magazine and laboratory in the town of Brookfield, in the ſtate of Maſſachuſetts-Bay, be repealed; and that inſtead thereof, a magazine ſufficient to contain ten thouſand ſtand of arms, and two hundred tons of gun powder, and a laboratory adjacent thereto, be erected in Springfield, in the ſaid ſtate.

Reſolved,

Resolved, That a committee of three be appointed to consider what reward it will be proper to offer for destroying or taking the enemy's ships of war and transports.

The members chosen, Mr. J. Adams, Mr. Roberdeau, and Mr. Wilson.

Resolved, That a committee of three be appointed to inquire into the mode heretofore observed by officers in making up their pay rolls, and to prepare a resolution for preventing any abuses therein.

The members chosen, Mr. Roberdeau, Mr. Burke, and Mr. Rumsey.

A memorial from James Caldwell, was read;

Ordered, That it be referred to the board of treasury.

The committee appointed to inquire into the conduct of the commissaries, reported;

"That they have made the inquiry directed as far as time and opportunity would admit; and find that the conduct of several employed in that department is very exceptionable, discovering either a want of ability or integrity in discharging their trust, by which means the public will probably suffer great loss, and the same extravagance and dissipation of public money continue, while such numbers of disqualified persons are continued in that employ, who regardless of the general good, are raising the prices of the articles they purchase by bidding upon each other, under an idea of receiving commissions or compensations proportioned to the sums they expend." Whereupon

Resolved, That for preventing the like impositions for the future, commissaries be commissioned by Congress in different districts under proper regulations, in which their duty shall be clearly ascertained.

Resolved, That the committee who brought in the foregoing report, be directed to prepare and bring in a draught of regulations for the purposes before mentioned.

Ordered, That Mr. Clark have leave of absence to visit his family.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *April* 15, 1777.

A letter of the 12th from General Washington; one of this day from colonel Baron d'Arendt; one of the 21st of March from four officers of the British navy in Worcester jail; one of the 4th from the commissioners appointed by the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia, for the purpose of regulating the price of labour, manufactures, and internal produce within those states, &c. with a copy of their proceedings; also a letter from Ch. Adrian Fontaine, were read.

Ordered

Ordered, That 70,000 dollars be advanced to Carpenter Wharton, for the public ſervice; he to be accountable.

The committee appointed to confer with the preſident and members of the ſupreme executive council of the commonwealth of Pennſylvania, the board of war of the ſaid ſtate, and the delegates repreſenting the ſame in Congreſs, concerning the authority to be exerciſed during the receſs of the council and Aſſembly, reported, "That they have had a conference agreeable to the order of Congreſs, and that it appeared clearly to the members in conference, that the executive authority of the commonwealth of Pennſylvania is incapable of any exertion adequate to the preſent criſis; and that it is of the greateſt importance that every power ſhould be called forth into action which may conduce to the ſafety of this ſtate, with which the liberties and proſperity of the whole are ſo intimately connected; from this conſideration, and at the particular inſtance and requeſt of the preſident of the ſupreme executive council, and the board of war of the ſtate of Pennſylvania, they beg leave to recommend the following reſolutions to be adopted by Congreſs:

That the preſident of the ſupreme executive council of the commonwealth of Pennſylvania, together with as many members of the ſaid council as can be convened, the board of war, and in ſuch caſes as relates to the marine, the navy board of the ſaid ſtate, ſhould in the preſent critical exigency of affairs exerciſe every authority to promote the ſafety of the ſtate till ſuch time as the legiſlative and executive authorities of the commonwealth can be convened:

That it be, and it is hereby earneſtly recommended by Congreſs to the good people of Pennſylvania, cheerfully to ſubmit to the exertion of an authority which is indiſpenſably eſſential to the preſervation of the lives, liberties and property of themſelves, their families and poſterity:

That the commanding officer of the continental forces in this city afford every poſſible aſſiſtance in carrying into execution all ſuch meaſures as may be recommended to him by the authority above mentioned:

That Congreſs will cheerfully co-operate with the authority above mentioned, in facilitating every meaſure which may be deemed conducive to the ſafety of the ſtate." Whereupon

Reſolved, That Congreſs concur with the committee, and agree to the reſolutions propoſed.

Ordered, That 7165 dollars be advanced by James Meaſe to Richard Stevens, eſq; paymaſter of the 10th Virginia battalion, commanded by colonel Edward Stevens, for the purpoſe of paying the ſaid battalion.

Ordered, That two months pay be advanced to colonel the chevalier de Vrecourt.

Resolved, That Monsieur du Plessis be recommended to general Washington, to be appointed a captain in the artillery.

Resolved, That an allowance of one hundred and twenty-five dollars a month be made to brigadier general Robert Howe, to commence at the time he was left by major general Lee to command in South-Carolina and Georgia; the said allowance being considered as necessary to defray the expences of his table while he commands there, and to continue so long as he shall be in such command; and that the said allowance be made to any officer of equal rank who shall hereafter succeed to the said command in that department.

The board of war brought in a report, which was taken into consideration; whereupon

Ordered, That 4000 dollars be advanced to brigadier Hand, to erect such works at Pittsburg as he shall think necessary, and towards contingent expences; he to be accountable.

Resolved, That brigadier general Lewis's resignation be accepted.

A petition from Walter Drummond was read;

Ordered, That it be referred to the board of treasury.

Whereas the continental battalions are all on a footing, liable to the same kind of services, and intitled to equal privileges;

Resolved, That the appellations, "Congress's own regiment," "general Washington's life guards," &c. given to some of them, are improper and ought not to be kept up; and the officers of the said battalions are required to take notice hereof, and to conform themselves accordingly.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *April* 16, 1777.

A letter of the 12th from general Washington, and one from him of the same date, to the committee appointed to write to him, were read.

Ordered, That the last be referred to general Schuyler, who is directed to carry into execution the measures therein recommended.

Sundry letters being intercepted by the Pennsylvania board of war, were laid before Congress and read; whereupon Congress came to the following resolution:

Whereas it appears to Congress from the letters intercepted by the Pennsylvania board of war, that certain persons inimical to the liberties of America have invited the enemy to attempt a surprize on this city, in order to make themselves masters of the stores and provisions now in it; and whereas it is apprehended that the executive authority at present exercised in the state of Pennsylvania, will be so occupied with matters of the highest importance to the safety of the state, as not to be able to attend to the removal of the said stores and provisions in due time;

Resolved,

Resolved, That it be recommended to the president and members of the executive authority of this state, to request the commanding officer of the continental forces in this city to take the most effectual means that all provisions and every other article, which by falling into the hands of the enemy may aid them in their operations of war against the United States, or the loss of which might distress the continental army, be immediately removed to such places as he shall deem most convenient and secure.

An appeal being this day delivered to the secretary from the judgment of the court of admiralty held at Plymouth, in the state of Massachusetts Bay, for the counties of Plymouth, Barnstable, Bristol, Nantucket and Duke's county, on a libel against the schooner Industry, Charles Coffin, master, which appeal was made in the court aforesaid on the 23d day of October, 1776, the judgment of Congress was taken, whether the same should be received; whereupon

Resolved, That the said appeal be received and referred to the committee on appeals.

The house being moved to pass a resolution;

Resolved, That it be referred to a committee of four.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. R. H. Lee, and Mr. Witherspoon.

Ordered, That 2133 1-3 dollars be advanced to Samuel Wheeler, on account of Iron field pieces he has contracted to make for the continent; he to be accountable.

Resolved, That two months pay be advanced to Monsieur du Plessis; he to be accountable.

Resolved, That Carpenter Wharton be directed to deliver to the order of brigadier general Hand, two hundred bushels of salt for the use of the forces on the western frontiers.

Resolved, That it be recommended to the general assembly of the state of Rhode-Island and Providence plantations, to collect, with the utmost dispatch, the whole force thereof, and therewith, aided by such parts of the militia of Massachusetts-Bay and Connecticut as are contiguous to the said state, to attack and destroy the enemy on the island of Rhode-Island aforesaid.

Resolved, That it be and it is hereby recommended to the states of Massachusetts-Bay and Connecticut, to give every assistance in their power by calling out the militia of their respective towns, which lie next to the state of Rhode-Island, and to promote and execute this important service.

Resolved, That general Washington be directed to appoint such general officer as he shall judge proper to carry the foregoing resolution into effect.

Ordered, That copies of the foregoing resolutions be sent by express to general Washington, and the three New-England states.

Congress being informed that divers ill affected persons have in contemplation to destroy the ferry boats on Hudson's river above

Saratoga, at the time the enemy's army arrives from Canada, in order to obſtruct the movements of the American troops and to diſtreſs them;

Reſolved, That general Gates be informed of this by expreſs, and that he be directed to take timely and effectual meaſures to prevent the execution of this pernicious project.

Reſolved, That the report on the quarter maſter's department be recommitted, and that the committee be directed to confer with general Schuyler on the ſubject.

The committee appointed to prepare a plan for regulating the mode of receiving applications to Congreſs, brought in a report, which was read.

The ſeveral matters to this day referred being poſtponed; adjourned to 10 o'clock to-morrow.

THURSDAY, *April* 17, 1777.

Reſolved, That general Schuyler be impowered and directed to draw warrants for the payment of the arrears due to the Pennſylvania and Delaware militia, as well as to the Maryland militia, who were called into the ſervice of the continent during the courſe of laſt winter.

Congreſs took into conſideration the report of the committee on the means of introducing better diſcipline in the army, and after debate,

Ordered, That it be recommitted, and that two members be added to the committee.

The members choſen, Mr. Gerry and Mr. Duer.

Reſolved, That the ſtile of the committee of ſecret correſpondence be altered, and that for the future it be ſtiled the committee of foreign affairs:

That a ſecretary be appointed to the ſaid committee with a ſalary of ſeventy dollars a month:

That the ſaid ſecretary, previous to his entering on his office, take an oath to be adminiſtered by the preſident, "well and faithfully to execute the truſt repoſed in him according to his beſt ſkill and judgment, and to diſcloſe no matter, the knowledge of which ſhall be acquired in conſequence of ſuch his office, that he ſhall be directed to keep ſecret," alſo the oath preſcribed for officers of the army and paſſed the 21ſt day of October, 1776, and that a certificate thereof be given by the preſident and lodged with the ſecretary of Congreſs.

Congreſs proceeded to the election of the ſaid ſecretary, and the ballots being taken,

Thomas Paine was elected.

The committee on the treaſury reported,

That there is due to doctor William Smith, continental druggiſt, for ſundry medicines purchaſed by him for public uſe 2820. 30 dollars, and for ſundry medicines ſupplied by him for the uſe

of

of the brig Lexington, 131.38 dollars, both ſums making 1925. 28 dollars.

To doctor William Currie, for ſundry medicines ſupplied the ſick of the 4th and 6th Virginia regiments, 99.66 dollars.

To T. Batell, for the maintenance of lieutenant Ball, a Britiſh priſoner, 24.55 dollars, for the payment of which a warrant ſhould be drawn on the commiſſioner of the loan office for the ſtate of Delaware.

That there ſhould be advanced to the ſtate of Delaware, and paid to John M'Kinley, eſquire, preſident of the ſaid ſtate, the ſum of 1500 dollars for the uſe of a guard ordered by Congreſs to be placed at Lewiſtown, &c. and that the ſame be drawn for on the commiſſioner of the loan office for the ſaid ſtate.

Ordered, That the ſaid ſums be paid accordingly.

Ordered, That 10,000 dollars be advanced to the delegates of Georgia for the uſe of that ſtate, which is to be accountable.

It being repreſented to Congreſs by the delegates of Maryland, that there is imminent danger of an inſurrection in the counties of Summerſet and Worceſter, and that the inſurgents may be joined by diſaffected perſons in the county of Suſſex in the ſtate of Delaware; and application being made by the ſaid delegates for a continental battalion to be placed in the county of Summerſet, to overawe and quell the inſurgents.

Reſolved, That a committee of four be appointed to deviſe ways and means of ſuppreſſing the ſpirit of toryiſm in the counties of Summerſet, Worceſter and Suſſex, and preventing them from taking meaſures prejudicial to the cauſe of the United States.

The members choſen, Mr. Duer, Mr. S. Adams, Mr. Wilſon and Mr. Rumſey.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *April* 18, 1777.

Reſolved, That the ſum of 2333.30 dollars be paid to Goſvinus Erkelens, eſquire, or order, the ſame being in full of an order in his favour drawn by Joſeph Trumbull, and dated at Hartford, 21ſt of March, 1777.

That the further ſum of 1000 dollars be paid to the ſaid Goſvinus Erkelens, or order, the ſame being in full of another order in his favour drawn by the ſaid Joſeph Trumbull, dated at Hartford, 21ſt of March, 1777; and that both ſums be charged to the account of the ſaid Joſeph Trumbull.

A petition from Thomas Moody, was read;

Ordered, That the ſame be referred to general Mifflin, the quarter-maſter general.

The committee appointed to inquire into the conduct of the enemy, reported:

"That

"That every place where the enemy has been, there are heavy complaints of oppreſſions, injury and inſults ſuffered by the inhabitants from officers, ſoldiers and Americans diſaffected to their country's cauſe. The committee found theſe complaints ſo greatly diverſified, that as it was impoſſible to enumerate them, ſo it appeared exceedingly difficult to give a diſtinct and comprehenſive view of them, or ſuch an account as would not, if publiſhed, appear extremely defective, when read by the unhappy ſufferers or the country in general.

In order however in ſome degree to anſwer the deſign of their appointment, they determined to divide the object of their enquiry into four parts. Firſt, The wanton and oppreſſive devaſtation of the country and deſtruction of property. Second, The inhuman treatment of thoſe who were ſo unhappy as to become priſoners. Third, The ſavage butchery of many who had ſubmitted or were incapable of reſiſtance. Fourth, The luſt and brutality of the ſoldiers in the abuſing of women.

They will therefore now briefly ſtate what they found to be the truth upon each of theſe heads ſeparately, and ſubjoin to the whole affidavits and other evidence to ſupport their aſſertions.

1. The wanton and oppreſſive devaſtation of the country and deſtruction of property.

The whole track of the Britiſh army is marked with deſolation and a wanton deſtruction of property, particularly through Weſt-Cheſter county in the ſtate of New-York; the towns of Newark, Elizabethtown, Woodbridge, Brunſwick, Kingſton, Princeton, and Trenton in New-Jerſey. The fences deſtroyed, the houſes deſerted, pulled in pieces or conſumed by fire, and the general face of waſte and devaſtation ſpread over a rich and once well cultivated and well inhabited country, would affect the moſt unfeeling with melancholy or compaſſion for the unhappy ſufferers, and with indignation and reſentment againſt the barbarous ravagers. It deſerves notice that though there are many inſtances of rage and vengeance againſt particular perſons, yet the deſtruction was very general and often undiſtinguiſhed; thoſe who ſubmitted and took protections, and ſome who were known to favour them, having frequently ſuffered in the common ruin. Places and things, which, from their public nature and general utility, ſhould have been ſpared by a civilized people, have been deſtroyed or plundered, or both. But above all, places of worſhip, miniſters and religious perſons of ſome particular proteſtant denominations ſeem to have been treated with the moſt rancorous hatred, and at the ſame time with the higheſt contempt.

2. The inhuman treatment of thoſe who were ſo unhappy as to become priſoners.

The priſoners, inſtead of that humane treatment which thoſe taken by the United States experienced, were in general treated with the greateſt barbarity. Many of them were near four days

kept

kept without food altogether: When they received a ſupply, it was both inſufficient in point of quantity and often of the worſt kind: They ſuffered the utmoſt diſtreſs from cold, nakedneſs, and cloſe confinement: Freemen and men of ſubſtance ſuffered all that a generous mind could ſuffer from the contempt and mockery of Britiſh and foreign mercenaries: Multitudes died in priſon; and when others were ſent out, ſeveral died in the boats while carrying aſhore, or upon the road attempting to go home. The committee in the courſe of their enquiry learned, that ſometimes the common ſoldiers expreſſed ſympathy with the priſoners, and the foreigners more than the Engliſh. But this was ſeldom or never the caſe with the officers; nor have they been able to hear of any charitable aſſiſtance given them by the inhabitants who remained in, or reſorted to the city of New-York; which neglect, if univerſal, they believe was never known to happen in any ſimilar caſe in a chriſtian country.

3. The ſavage butchery of thoſe who had ſubmitted and were incapable of reſiſtance.

The committee found it to be the general opinion of the people in the neighbourhood of Princeton and Trenton, that the enemy the day before the battle of Princeton had determined to give no quarter. They did not however obtain any clear proof, that there were any general orders for that purpoſe; but the treatment of ſeveral particular perſons at and ſince that time, has been of the moſt ſhocking kind, and gives too much countenance to the ſuppoſition. Officers wounded and diſabled, ſome of them of the firſt rank, were barbarouſly mangled or put to death. A miniſter of the goſpel in Trenton, who neither was nor had been in arms, was maſſacred in cold blood, though humbly ſupplicating for mercy.

4. The luſt and brutality of the ſoldiers in the abuſing of women.

The committee had authentic information of many inſtances of the moſt indecent treatment, and actual raviſhment of married and ſingle women; but ſuch is the nature of that moſt irreparable injury, that the perſons ſuffering it, and their relations, though perfectly innocent, look upon it as a kind of reproach to have the facts related and their names known. They have however procured ſome affidavits, which will be publiſhed in the appendix. The originals are lodged with the ſecretary of Congreſs.

Some complaints were made to the commanding officers upon the ſubject, and one affidavit made before a juſtice of peace; but the committee could not learn that any ſatisfaction was ever given or puniſhment inflicted, except that one ſoldier at Penington was kept in cuſtody for a part of a day.

On the whole the committee are ſorry to ſay that the cry of barbarity and cruelty is but too well founded; and as in converſation, thoſe who are cool to the American cauſe, have nothing

to

to oppose to the facts but their being incredible, and not like what they are pleased to stile, the generosity and clemency of the English nation; the committee beg leave to observe, that one of the circumstance most frequently occurring in the enquiry, was the opprobrious disdainful names given to the Americans: these do not need any proof, as they occur so frequently in the news-papers printed under their direction, and in the intercepted letters of those who are officers and call themselves gentlemen. It is easy therefore to see what must be the conduct of a soldiery greedy of prey, towards a people whom they have been taught to look upon not as freemen defending their rights on principle, but as desperadoes and profligates, who have risen up against law and order in general, and wish the subversion of society itself. This is the most candid and charitable manner in which the committee can account for the melancholy truths which they have been obliged to report. Indeed the same deluding principle seems to govern persons and bodies of the highest rank in Britain. For it is worthy of notice, that not pamphleteers only, but king and parliament, constantly call those acts lenity, which on their first publication filled this whole continent with resentment and horror."

Resolved, That the said report be accepted, and that the committee who brought it in publish the same with the affidavits.

Resolved, That a member be added to the committee on the commissary's department, and that they be directed to confer with general Schuyler on the subject.

The member chosen, Mr. Roberdeau.

Resolved, That Mr. Jos. Trumbull be directed to repair with dispatch to Philadelphia.

At the request of general Schuyler,

Resolved, That a committee be appointed to enquire into the conduct of major general Schuyler, since he has held a command in the army of the United States.

That the said committee consist of a member from each state.

The members chosen, Mr. Thornton, Mr. Lovell, Mr. Ellery, Mr. Wolcot, Mr. Duer, Mr. Elmer, Mr. Clymer, Mr. Sykes, Mr. W. Smith, Mr. Page, Mr. Burke, Mr. Heyward and Mr. Brownson.

Resolved, That major general St. Clair have leave of absence from the army for two weeks, to visit his family.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That an order for 5000 dollars be drawn on the treasurer at Baltimore, in favour of Robert Cummins, commissary of provisions there, to purchase provisions for the troops; and that he be desired to buy as much fresh provisions as he thinks prudent, considering the present price; and that Congress approve of his laying in a quantity of barrelled shad fish sufficient for the troops passing through that town.

Resolved,

Resolved, That general Armstrong be requested to inspect the magazines of provisions under the care of commissary Wharton, and report to Congress their kind, quantity, and condition: That general Armstrong be authorised to call on Mr. Wharton for every information necessary to enable him to perform this duty, and if the said magazines be found in a perishing or neglected state, that he take proper steps for their regulation; and the said commissary and his deputies are hereby ordered to pay due obedience to his directions.

Resolved, That a committee of five be appointed to devise ways and means of supplying the army with fresh beef on the most reasonable terms.

The members chosen, Mr. Burke, Mr. Sherman, Mr. L. Morris, Mr R. H. Lee, and Mr. Rumsey.

Adjourned to ten o'clock to-morrow.

SATURDAY, *April* 19, 1777.

Resolved, That the resignation of John Trumbull, late deputy adjutant general of the northern army, be accepted.

That general Gates be impowered to appoint a deputy adjutant general for the northern department.

Resolved, That three persons be appointed as a board of assistants to the marine committee, with a salary of fifteen hundred dollars a year each, to reside at or in the neighbourhood of Boston, in the state of Massachusetts-Bay, with a power to adjourn to any part of New-England; who shall have the superintendance of all naval or marine affairs of these United States, within the four eastern states, under the direction of the marine committee.

That the appointment of the said commissioners be made on Tuesday next.

A letter of the 27th of March from the commissioners for settling accounts in the northern department, directed to the board of treasury, was laid before Congress and read.

Ordered, That the same be referred to the committee appointed to devise regulations for the commissary's department.

Resolved, That three members be added to the said committee; and that the committee be directed to confer with Mr. Trumbull on his arrival.

The members chosen, Mr. Duane, Mr. W. Smith, and Mr. Gerry.

Ordered, That a copy of such parts of the said letter as relates to draughts made on the paymaster for stock, &c. taken by officers, and to irregular draughts, be sent by the board of treasury to general Gates.

The committee appointed to enquire into the mode heretofore observed by officers in making up their pay rolls, and to prepare a resolution for preventing abuses therein, brought in a report, which was read.

Ordered, To lie on the table.

A remonſtrance of Joſeph Hugg and Iſaac Morris, jun. was read.

Reſolved, That general Waſhington be directed to take effectual meaſures for removing all proviſions, cattle, carriages and forage which he may think in danger of falling into the hands of the enemy, particularly in the parts of the country through which their rout may lie, ſhould they attempt to march; and that he give directions to all officers employed on this duty, to be careful not to deprive the inhabitants of what may be neceſſary for their immediate ſubſiſtance; and to cauſe all proviſions, cattle, carriages, and forage removed, to be appraiſed to a juſt valuation, that the owners may be paid for the ſame.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the Rev. Mr. Henry Miller be, and he is hereby appointed chaplain to the German battalion.

The marine committee having recommended John Rathburn to be captain of the armed ſloop Providence;

Reſolved, That he be appointed accordingly.

Reſolved, That an order for 200,000 dollars be drawn on the commiſſioner of the loan office for the ſtate of New-York, in favour of Jonathan Trumbull, jun. deputy paymaſter general, for the uſe of the army in the northern department; the ſaid deputy paymaſter general to be accountable.

The committee appointed to deviſe ways and means for ſuppreſſing the ſpirit of toryiſm in the counties of Somerſet, Worceſter, and Suſſex, and preventing the diſaffected perſons therein from taking meaſures prejudicial to the cauſe of the United States, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it be earneſtly recommended to the legiſlative or executive authorities of the ſtates of Delaware and Maryland, forthwith to apprehend and remove all perſons of influence or of deſperate characters within the counties of Suſſex, Somerſet and Worceſter, who have betrayed or manifeſted a diſaffection to the American cauſe, to ſome remote or ſecure place or places within their reſpective ſtates; there to be ſecured without any perſon having acceſs to them, unleſs by licence firſt obtained from ſuch civil or military officer as the government of the reſpective ſtates ſhall think proper to appoint for that purpoſe: To take away the fire arms of all ſuch of the inhabitants of the counties above mentioned, as have not hitherto manifeſted an attachment to the cauſe of America, excepting ſuch in the counties of Worceſter and Somerſet, in the ſtate of Maryland, as may have complied with the proclamation iſſued by the ſaid ſtate in the month of February laſt; the ſaid arms to be diſpoſed of by the reſpective ſtates as ſhall be deemed moſt conducive to the general weal:

weal: To enact laws appointing commissioners in each of the counties above mentioned, whose business it shall be to make inventories, and to take charge of the personal estates of the persons so removed, and to receive the rents arising from their real estates, in order that the same may be appropriated as a fund for their maintainance, till the government of the respective states shall otherwise direct; and vesting the said commissioners with full and adequate powers to enquire into, detect and defeat, all plots or conspiracies formed in the respective counties against the liberties of America.

And for facilitating the expeditious execution of the foregoing resolution:

Resolved, That the governor of the state of Maryland be authorised to detain the weakest continental battalion raised in the state of Maryland, till a further order of Congress; and that it be recommended to the executive authority of the state of Maryland, forthwith to embody three hundred of the militia of the said state, and to the executive authority of the state of Delaware one hundred of their militia; the said militia to cooperate with the battalion of continental troops, to obey the officer commanding the same, and to continue in service so long as the joint executive authorities of the states of Delaware and Maryland shall think necessary.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY, *April* 21, 1777.

A letter of the 18th and 19th from general Washington; one of the 19th from the Pennsylvania board of war; and a note from doctor G. Clarkson, in behalf of col. Zedwitz, were read;

Ordered, That the letter from general Washington be referred to the board of war; that the letter from the Pennsylvania board of war be referred to the board of treasury; and the note from doctor Clarkson, to the medical committee.

Resolved, That James Mease, clothier general, be directed to deliver to general Mifflin, quarter master general, or his order, all the cloth in his possession, fit for tents.

According to the order of the day, Congress proceeded to the consideration of the articles of confederation as reported from the committee of the whole house; and after debate thereon,

Resolved, That the farther consideration thereof be postponed to Friday next.

Resolved, That Michael Hillegas, esq; treasurer, be authorised and directed to appoint and qualify such a number of additional signers of money as he shall judge necessary, and send to Congress a certificate of such appointment and qualification; and that the said signers proceed on the business until discharged by Congress.

The several matters to this day referred being postponed; adjourned to 10 o'clock to-morrow.

TUESDAY, *April* 22, 1777.

A letter of the 21ſt from general Waſhington; one of the 5th from col. G. Morgan at fort Pitt, with ſundry papers incloſed; one of the 2d from major Malmedy at Providence; one of the 14th from governor Trumbull; and a memorial from Eliſha Painter, were read;

Ordered, That the letter from colonel Morgan, be referred to the committee on Indian affairs; the letter from major Malmedy, to the committee on applications from foreigners; the letter from governor Trumbull, to the committee on foreign affairs; and the memorial from Eliſha Painter, to the board of war.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Schuyler be directed to ſend forward immediately all the troops now in Briſtol, with orders to join general Waſhington with all expedition; and that general Schuyler immediately order all the troops now in Philadelphia, and which may hereafter arrive, with the utmoſt diſpatch to Briſtol, there to wait farther orders.

That the ſecret committee be directed to tranſmit from time to time to general Waſhington, bills of exchange or ſpecie for the ſupport of our priſoners of war in the hands of the enemy, according to their ranks and pay in the continental ſervice; and that the general be deſired to appoint a commiſſary of priſoners, for the purpoſe of applying the money obtained by the bills and the ſpecie tranſmitted, to the purpoſes aforeſaid; and that the ſaid commiſſary be ordered to take care that the priſoners of war be ſupplied with proper proviſions and clothing.

Reſolved, That the farther conſideration of the report be poſtponed.

Reſolved, That the director and deputy directors general, ſhall conſtantly publiſh in the news-papers, the names of the places in which their military hoſpitals are reſpectively kept; and the ſeveral commanding officers of parties, detachments, or corps on their march to or from the camp, ſhall ſend to the ſaid hoſpitals ſuch of their officers and ſoldiers as from time to time are unable to proceed, together with certificates to the director or deputy director general, mentioning the names of the ſaid officers and ſoldiers and particular regiments to which they belong; unleſs from the diſtance of the hoſpitals, or other cauſes, it ſhall at any time be neceſſary to deliver them to the care of private phyſicians or ſurgeons, in which caſes ſuch phyſicians and ſurgeons, and alſo the reſpective commanding officers, are forthwith to report their names and regiments to the director or deputy directors general as aforeſaid, who ſhall give the neceſſary orders for removing them to the hoſpitals as ſoon as may be, and diſcharge the reaſonable demands of the phyſicians and ſurgeons conducting agreeable to this reſolve.

That

That the director and deputy directors general and assistant deputy directors, have power to order to their respective hospitals the sick and wounded of the army, wherever found in their own or other departments, provided such departments are not supplied with any of the officers aforesaid.

A memorial from Robert Long was read, requesting permission to go to New-York, in order to render to Mr. Chamier an account of his affairs:

Ordered, That the said memorial be dismissed.

Resolved, That an order be drawn on the treasurer at Baltimore in favour of James Mease, clothier general, for the sum of 12,000 dollars, to discharge a bill of exchange drawn at Boston, March 1, 1777, by Abraham Livingston and William Turnbull on Robert Morris, esq; in favour of Stephen Hooper, or order.

Resolved, That governor Trumbull be informed that Congress have received undoubted information that William Franklin, late governor of the state of New-Jersey, and now a prisoner in Connecticut, has since his removal to that state, sedulously employed himself in dispersing among the inhabitants the protections of lord Howe and general Howe, stiled the king's commissioners for granting pardons, &c. and otherwise aided and abetted the enemies of the United States: And that he be requested forthwith to order the said William Franklin, esq; into close confinement, prohibiting to him the use of pen, ink, and paper, or the access of any person or persons but such as are properly licensed for that purpose by governor Trumbull.

A memorial from colonel Haller and lieutenant colonel Lutz was read; praying that they may be paid for retained rations.

Ordered, That it be referred to the board of war.

Resolved, That a member be added to the committee for suppressing toryism.

The member chosen; Mr. Duer.

Resolved, That it be recommended to the several states to order their statute laws and the additions that may be made thereto, to be sent to Congress and to each of the states, together with all discoveries and improvements in the arts of war made in such states respectively.

The several matters to this day referred, being postponed; adjourned to 10 o'clock to-morrow.

WEDNESDAY, *April* 23, 1777.

Ordered, That the sum of six hundred and eighty dollars be paid to the captain, officers and privates, of the brigantine Andrew Doria, the same being in full of the bounty granted for ten carriage guns mounted, and sixty men on board the armed sloop Racehorse, at the time of her capture by the said brigantine Andrew Doria, as certified by the register of the court of admiralty for the state of Pennsylvania.

The

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That doctor James Tilton be authorised to repair to Dumfries in Virginia, there to take the charge of all continental soldiers that are or shall be inoculated, and that he be furnished with all necessary medicines: That the commanding officers in that department be directed to afford every assistance in their power, and that all commissaries and quarter masters on whom the doctor shall have occasion to call, be directed to provide quarters and every thing requisite for this business.

Resolved, That the board of war be impowered and directed to sell to the delegates of North-Carolina 200 gun locks.

A petition from Lawrence Powell was read;

Ordered, That it be referred to the board of war.

The committee to whom the report on the quarter master's department was recommitted, brought in a new report, which was read.

Joseph Trumbull, commissary general, being arrived at Philadelphia,

Ordered, That the committee on the commissary's department, and the committee appointed to devise means for supplying the army with fresh beef, be consolidated; and that Mr. Trumbull be directed to confer with the said committee.

Resolved, That a committee of six be appointed to consider of ways and means for speedily reinforcing general Washington's army.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. Wilson, Mr. B. Smith, Mr. R. Lee, and Mr. Sherman.

Ordered, That the committee confer with general Schuyler and general Mifflin on the subject.

The board of treasury reported, that there is due

"To Edward Snicker, and to be paid to col. Daniel Morgan, the sum of £.276, 2, 6, for sundry arms, blankets, provisions, &c. furnished by him for the use of the said colonel Morgan's regiment, and for an allowance made him for his trouble and expence of purchasing the said arms, &c. and for those purchased as per a former account amounting to £.482, 8, the sum of £.37, 18, 6, which two sums amount to £.314, 1, Virginia currency, equal to 1046.75 dollars.

That there should be paid to captain Nathaniel Rumsey for sundry clothing he purchased for the use of his company in the first Maryland battalion, which were taken by the enemy, as is set forth in his memorial to Congress, the sum of 115.30 dollars:

That there is due to John Carswell, late a soldier in the late captain Hendrick's company, who was taken prisoner at Quebec, for his pay from the 1st of January, 1776, to the 22d of of April, 1777, the sum of 94.73 dollars:

That

That there ſhould be paid to Henry Shitz, for 46 reams of paper for continental bills of credit, the ſum of 444 dollars:

That there ſhould be paid to Francis Lewis, eſq; for ſundry goods purchaſed for clothing the army out of the prize ſchooner Hannah, and put into the hands of Samuel and Robert Purviance, at Baltimore, the ſum of 7346 62 dollars; the ſaid Samuel and Robert Purviance to be accountable:

That there ſhould be advanced to col. Daniel Morgan, of the 11th Virginia regiment, for the bounty of a volunteer company inliſted into the ſaid regiment, the ſum of 1800 dollars; he to be accountable:

That the reverend Mr. John Nevelling officiated as chaplain to 9 New-Jerſey battalions for one month and ſix days, at 50 dollars a month, amounting to 59.77 dollars; of which he received of the paymaſter 33.30 dollars, and that a balance of 26.47 ſhould be paid to him."

Ordered, That the ſaid accounts be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *April* 24, 1777.

A letter of the 2d from J. Allen, at Boſton, agent for Indian affairs in the eaſtern department; one of the 26th of December laſt from James Lyon, at Machias; and one of the 18th inſtant from the convention of New-York, with ſundry papers incloſed, were read.

Ordered, That the ſaid letters be referred to the board of war, who are directed to confer with the perſon who brought the two firſt letters.

A letter of the 23d from general Waſhington, with ſundry papers incloſed, was read.

The committee appointed to conſider of ways and means for ſpeedily reinforcing general Waſhington's army, brought in a report, which was read and conſidered; whereupon

Reſolved, That it be earneſtly recommended to the preſident of the ſupreme executive council, and to the board of war, of Pennſylvania, to call out three thouſand of the militia of the ſaid ſtate, excluſive of the city militia; one half of the ſaid troops to rendevouz at Cheſter on the Delaware, and the other half at Briſtol: And to order the city militia to equip themſelves with arms and accoutrements, and to hold themſelves in readineſs at a moment's warning; and that the ſaid preſident and board of war take meaſures to furniſh the ſaid troops with a proper train of artillery.

Reſolved, That the preſident write to general Waſhington and inform him, it will be agreeable to Congreſs that he order general Mifflin to continue in Philadelphia for ſome time; provided the public ſervice will admit of his abſence from the army.

Reſolved, That the officers of the ſeventh Pennſylvania battalion

lion be referred to the board of treasury for the liquidation of their accounts, and settlement of the money due to the said battalion for the last campaign, and that the said board report thereon.

Resolved, That all the accounts of the Pennsylvania, Delaware and Maryland militia yet unsettled be referred to the board of treasury for liquidation, and that the reports thereon be transmitted to general Schuyler, who is now the commanding officer in Philadelphia, in order that he may draw warrants for paying the arrears due to them agreeable to the resolve of the 17th instant.

Ordered, That the account of William Grayham, a surgeon's mate of the second Virginia regiment, be referred to general Schuyler, who is directed to draw a warrant for two months pay.

An appeal from the judgment of the court of admiralty for the state of Maryland, held at Baltimore, in the libel sloop Montgomery v. brig Minerva, was lodged with the secretary, and referred to the committee on appeals.

An appeal from the judgment of the court of admiralty for the state of Rhode-Island and Providence plantations, on the libel Mary Alsop, and others, v. Thomas Buttenburg, being lodged the 6th of March last, was also this day referred to the committee of appeals.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *April* 25, 1777.

Ordered, That 1666.60 dollars be paid to Sampson Mears, or order, the same being in full of a bill drawn by William Aylet, Virginia, April 9th, 1777, in favour of Mr. Isaac Vanbibber, of Baltimore, and indorsed by the said Isaac Vanbibber, and the payment ordered to the said Sampson Mears, or order, by Vanbibber and Crocket, and that the said sum be charged to the account of the said William Aylett.

The board of war reported:

"That having enquired into the case of major Elisha Painter, it appears by the evidence produced, that the objections made against his appointment to the office of major in colonel Seth Warner's regiment, and the complaint of uneasiness occasioned thereby, are without any just foundation, and that nothing is alledged, or appears to have been done by him to forfeit his right to the said office; and that the board knows of no such office vacant in any other regiment, to which he can be appointed by Congress." Whereupon

Resolved, That the resolution of the 18th of January last, removing the said Elisha Painter from any command in the said col. Seth Warner's regiment, be repealed; and that he return to his command in the said regiment as major thereof, unless general Washington

Washington shall think proper to appoint him to some other office or employment in the army not inferior to his present rank.

The committee of treasury brought in a report, which was taken into consideration; whereupon

Resolved, That 50,000 of the 300,000 dollars, ordered to be advanced to general Mifflin on the 22d of March last be paid by a warrant on the loan-office in Connecticut.

Ordered, That 100,000 dollars be advanced to Joseph Trumbull, esq; commissary general, he to be accountable; and that a warrant be drawn on the commissioner of the loan-office for the state of Pennsylvania for the sum of 35,000 dollars, in part of the above sum.

Resolved, That the farther consideration of the report be postponed.

The committee appointed to devise ways and means for speedily reinforcing general Washington's army, brought in a farther report, which was taken into consideration; whereupon

Resolved, That the president and council of the state of Delaware be requested forthwith to call out fifteen hundred of the militia of the said state, well armed and accoutred, to rendezvous at Chester on Delaware.

That a committee of three be appointed to confer with the said president and council to enforce the necessity of this measure, and that general Mifflin be requested to join the said committee for the purpose aforesaid.

The members chosen, Mr. Read, Mr. Roberdeau and Mr. Sergeant.

Resolved, That the governor of the state of New-Jersey be requested forthwith to call out such part of the militia of the said state as general Washington shall judge necessary to reinforce the army under his command.

Resolved, That the physician or surgeon general of the hospital in the middle department be directed to send a proper person or persons in the medical department, to visit all the hospitals betwixt this city and the town of Annapolis, in Maryland, with directions to order all such soldiers, as shall be deemed capable of service, to join immediately their respective corps under proper officers.

Resolved, That major general Schuyler be directed to order all the troops in or near the city of Philadelphia, and between the said city and the town of Annapolis, to march immediately to Bristol, by such routs as shall render it unnecessary to pass through the city of Philadelphia; that he send active officers to forward the said troops without delay, and that he order proper returns to be made of the quantity of arms and cloathing wanted for the respective corps or detachments, in order that a supply of the same may be forwarded by the clothier general to the town of Bristol.

Resolved, That general Washington be requested to send a general officer into the eastern states, to forward all the troops already raised to their respective places of destination with the utmost dispatch.

According to the order of the day, Congress resumed the consideration of the articles of confederation, as reported by a committee of the whole; and after debate

Resolved, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *April* 26, 1777.

A letter of the 25th from president M'Kinley of Delaware; two of the 21st and one of the 23d from governor Johnson of Maryland, were read.

Ordered, That the said letters with the papers inclosed, be referred to the board of war.

Resolved, That 100,000 dollars be advanced to the state of Maryland, the said state to be accountable; and that the same be paid by an order for 25,000 dollars on the commissioner of the loan office for the state of Maryland, and by an order on the treasurer at Baltimore for the remaining 75,000 dollars.

Ordered, That 691.50 dollars be paid to Thomas Lawrence, being so much paid by him to the wives of the carpenters employed in the service of the United States at fort Pitt, and that the same be charged to the account of colonel George Morgan.

Ordered, That 500 dollars be advanced to captain Joseph Mitchell, for the use of the 12th Virginia battalion, and that the same be charged to the account of James Wood, colonel of the said regiment.

Ordered, That the committee on the commissary's department proceed on that business, and report on Monday next.

The committee on the treasury reported, "That there is due to John Biddle, for the weekly allowance paid to several officers, &c. prisoners of war, and for sundry provisions furnished women and children, prisoners at Reading, at the rate of ten pence per ration, the sum of 955.52 dollars:

To Henry Haller, for the weekly allowance of capt. Anstruther, from the 23d of August to the 24th of November, being 11 weeks and 4 days, the sum of 23.12 dollars:

To Thomas Polhoos, and to be paid to Mr. Wiltner, for bleeding 95 privates of colonel Hausegger's battalion, the sum of 12.60 dollars:

To Joseph Simons, for provisions issued to women and children, prisoners; and for provisions issued to prisoners at Easton, who were unable to move with the others that were exchanged, the sum of 126.69 dollars: To

To Mark Wilcox, for paper for loan-office certificates, and two reams of paper for the use of the treasury board, 876.73 dollars:

To captain Benjamin Deane, for his expences while escorting money to the White Plains, and on his return, including waggon and horse hire, 175.20 dollars:

To Joseph Copperthwaite, for sundry casks for powder, and for cooperage, porterage, &c. 297.66 dollars:

To Levi Hollingsworth, for freight and cartage of 503 casks of powder, and one case of gun-locks, from Baltimore to Philadelphia, and for porterage to the magazine, the sum of 437.6 dollars:

To Bright and Pechin, for storage and weighing sundry parcels of saltpetre, the sum of 76.75 dollars:

To Elizabeth Kuntz, for attendance and provisions to six men belonging to general Lee's guard who were under inoculation, and for boarding six other men, the sum of 89.81 dollars:

That there should be paid to James Young, for fifty one rifle and smooth bore guns, twenty two of which were delivered to Robert Towers and Samuel Appleton, seven lost, and twenty-two delivered at fort Washington, the sum of 571.25 dollars:

That there should be advanced to colonel Daniel Morgan, a balance due to him of 192.60 dollars:

That there should be advanced to him a further sum of 2727.76 dollars to pay his troops in this city, and for which sums he is to account with the paymaster.

Ordered, That the said accounts be paid.

A letter of the 13th from William Aylett, was read;

Ordered, That it be referred to the committee appointed to enquire into the conduct of Carpenter Wharton, and to regulate the commissary's department.

A letter of the 12th from colonel Morgan, at fort Pitt, was read.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday next.

MONDAY, *April* 28, 1777.

A letter of the 22d from general Gates at Albany, with sundry papers inclosed; and one of the 23d from Henry Fisher at Lewis-town, were read.

Whereas Henry Fisher has, agreeable to the power vested in him by Congress, appointed William Peery, captain; John Westly, first lieutenant; David Hazard, second lieutenant; and John Hazard, ensign, of the company ordered to be raised for the defence of Lewis-town.

Resolved, That they be confirmed.

Resolved, That the letter from general Gates, with the papers inclosed, be referred to a committee of the whole Congress; and that general Schuyler lay before the committee the correspondence between him and general Washington, respecting the defence of Ticonderoga.

Congreſs then reſolved itſelf into a committee of the whole; and after ſome time ſpent the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the letter and papers to them referred, but not having come to a concluſion, deſire leave to ſit again.

Reſolved, That Congreſs will to-morrow again reſolve itſelf into a committee of the whole, to conſider the letter from general Gates and the papers referred to them.

The ſeveral matters to this day referred, being poſtponed; adjourned to 10 o'clock to-morrow.

TUESDAY, *April* 29, 1777.

A letter of the 18th from William Aylett, commiſſary in Virginia, was read.

Ordered, That it be referred to the committee on the commiſſary's department; and that a copy of the ſaid letter, ſo far as it relates to the procuring proviſions for the army, be delivered to Joſeph Trumbull, commiſſary general, who is directed to give the neceſſary orders reſpecting the ſame.

Congreſs reſumed the conſideration of the report from the committee on the treaſury of the 11th; whereupon

Reſolved, That 1000 dollars be advanced to major Ottendorf, for recruiting his corps of rangers; and that he be directed forthwith to produce a certificate from the commiſſary general of muſters, or the deputy muſter maſter general in this department, of the number of ſoldiers inliſted into his ſeveral companies.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That baron Ernſt Siegesmond be appointed firſt lieutenant, and John Conrad Latour ſecond lieutenant in the corps commanded by major Ottendorf.

The committee appointed to confer with the preſident and council of the ſtate of Delaware, on the neceſſity of calling out fifteen hundred of the militia thereof, well armed and accoutred, to rendezvous at Cheſter on Delaware, reported,

"That they, together with general Mifflin, met the preſident and council at Wilmington in the ſaid ſtate, and conferred with them on the buſineſs aforeſaid; that the ſaid preſident and council gave aſſurance that they were willing and deſirous to comply with the requiſition of Congreſs for the aid of the militia aforeſaid, and that every means in their power would be uſed to draw forth the number required; but they apprehended that this might be more probably effected by fixing the place of their rendezvous near the Delaware within the ſaid ſtate, and which would not be more than ſix or ſeven miles diſtant from the general rendezvous propoſed at Cheſter: That your committee, with the approbation of general Mifflin, acceded to the propoſal of fixing the place of rendezvous for the militia of the ſaid ſtate within the ſame, as the

the most probable means of obtaining their aid and service, and beg leave to recommend the same to Congress as equally advantageous to the public service." Whereupon

Resolved, That Congress accept and agree to the report of the committee.

Congress then resolved itself into a committee of the whole to consider farther the letter from general Gates, and the papers referred to them; and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions, which he was ordered to report.

The report from the committee of the whole being read, was agreed to as follows:

Resolved, That general Washington be directed to write to the eastern states, from whence the troops to be employed at Ticonderoga are expected, and to request them in the name of Congress to adopt and pursue every means, particularly those recommended by Congress in their resolutions of the 14th of this month, for compleating and forwarding the regiments which he has already ordered for that service, it being the opinion of Congress that a delay in this matter will be attended with the loss of that important pass:

That the convention of New-York be requested to give all possible aid of the militia of their state to keep open the communication between Albany and Ticonderoga; and that an extract of general Gates's letter of the 19th to general Washington, relative to the encrease of tories, be transmitted to the said convention:

That general Gates be informed of the measures taken by Congress to reinforce him with men, and to supply him with money: that he be informed it is not the wish of Congress that he retain possession of that part of Ticonderoga which lies on the west side of lake champlain, if in his judgment the great point of preventing the enemy from penetrating the country may be better obtained by applying his whole force to the strengthening and securing fort Independence and the water defence of lake George:

That if major general Gates shall be of opinion that there are not a sufficient number of carpenters employed on the vessels at lake George, he be authorised and directed immediately to engage as many as he shall think necessary for compleating with the utmost dispatch the water craft now erecting on that lake:

That general Washington be directed to send to Congress the names of the general officers ordered to repair to Ticonderoga, and the number and names of the regiments under marching orders for that place:

That general St. Clair be informed by express of the approach of the enemy to Ticonderoga, and that he be directed to repair without loss of time to that place.

Resolved,

Resolved, That the commissioners for Indian affairs at Albany, be directed to accept of the offer made by the Oneidas in their speech of the 19th of March to col. Elmore, to send scouts to watch the motions of the enemy at Oswegatchie; and that a copy of the said speech be transmitted to the commissioners at Albany.

Sundry amendments being offered to the resolutions passed on the muster-master's department,

Resolved, That the committee formerly appointed to regulate the department of the muster-master be directed to revise the resolutions on that subject, and the amendments now offered to them.

A letter of the 26th from general Washington, inclosing a copy of a letter to him from general Howe, was read.

The committee of treasury reported,

That there is due to Walter Drummond for boarding sundry troops belonging to capt. Hand's company, 30.43 dollars:

To Christian Dull for provisions supplied to sundry troops on their march, the sum of 38 dollars:

To lieutenant John Ellis of the 2d Pennsylvania battalion, for sundry provisions he supplied a party of men who were left sick under his command in Canada, 6.22 dollars:

To colonel Evan Evans for the balance of the pay roll of his battalion of Chester county militia, in the service of the United States from the 4th of December 1776 to the 30th of January 1777, the sum of 2181.69 dollars:"

Ordered, That the said accounts be paid.

The committee on the treasury brought in a farther report, which was taken into consideration; whereupon

Resolved, That it be recommended to the several states forthwith to order the sums advanced by them for recruiting the continental battalions raised by the said states, together with the names of the officers receiving the same, to be transmitted to the paymasters of such battalions; and that the said paymasters be respectively required to call such officers to account for the same; who shall produce certificates from the muster master or deputy muster general, specifying the number of non-commissioned officers and soldiers, and also, if officers of the light horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such other vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by the deaths or desertions of non-commissioned officers and soldiers before muster, or other necessary expences; and it is further recommended to the said states that they order the said regimental paymasters to report to them the settlement of the said accounts, together with the vouchers to be produced when confirmed by the said states, to the treasury board on adjustment of their accounts:

That

That it be recommended to the ſaid ſtates, if any of the paymaſters ſhall neglect to obey their directions as aforeſaid, to order their names to be tranſmitted to the commander in chief of the department, who ſhall thereupon remove from office ſuch delinquent paymaſters and ſupply their places with ſuch others as he ſhall think qualified:

That if any officer ſhall not within one month after application for that purpoſe, render ſuch accounts, the regimental paymaſters requiring the ſame, ſhall make report thereof to the commander in chief of the department, who ſhall order a court-martial on ſuch officer, and alſo on ſuch other officer as ſhall be guilty of embezzling the public money; and the fact being aſcertained by their reports, ſhall immediately cauſe him to be caſhiered, and a copy of the report delivered to the regimental paymaſter to be tranſmitted to the ſtate to which he belongs, that ſuch ſtate may give proper orders for compelling the delinquent officer to account in a court of juſtice:

That duplicate accounts of all monies advanced by Congreſs, by general officers, and by the paymaſter and deputy paymaſters general, for recruiting continental battalions, be tranſmitted by the treaſury board, ſuch general officers, paymaſter and deputy paymaſters general reſpectively, to the commiſſioners of accounts for the army in the northern and middle departments, who ſhall deliver the ſame to the reſpective regimental paymaſters, to enable them to call the officers chargeable with ſuch money to account in the manner before directed; and the ſaid regimental paymaſters ſhall tranſmit to the reſpective commiſſioners aforeſaid, the ſettlement of ſuch accounts with the vouchers, who ſhall report to the treaſury office thoſe which are approved by them, and ſhall proceed with the regimental paymaſter neglecting to obey their directions herein, and officers not accounting for the monies by them received as aforeſaid, in the manner propoſed to be purſued by the ſtates in conſequence of the preceding reſolve:

That the general officers, paymaſter and deputy paymaſters general reſpectively, be alſo directed to tranſmit to the treaſury office duplicate accounts of all monies advanced by them for recruiting continental battalions as aforeſaid:

That all regimental paymaſters be directed to apply to the reſpective commiſſioners for accounts of the ſums advanced to their officers as aforeſaid:

That all commiſſioners of claims or accounts be impowered to adminiſter oaths or affirmations to perſons examined by them in the execution of their office:

That accounts received by the auditor general, or in his abſence, the aſſiſtant auditor, from the commiſſioners of claims agreeably to a reſolve of Congreſs of the 13th of March laſt, be approved by them reſpectively, before ſuch accounts are reported to Congreſs. That

That all pay rolls of the militia which shall be tendered to Congress or the board of treasury for payment, be referred for examination and adjustment to the commissioners of claims; and reports thereon shall be made to the treasury board, who approving thereof, shall issue their warrants for the discharge of the same on the paymaster appointed for that purpose; and all resolutions heretofore passed, which are repugnant to this mode of settlement and payment, be repealed.

Whereas by a resolution of Congress passed on the 5th of November, 1776, it is directed, "That all accounts for service done, or articles supplied the northern army, shall be presented to the commissioners for settling accounts, and that so much thereof as shall be approved by them, and confirmed by the general, be paid by his warrant on the paymaster:" And whereas doubts have arisen whether by the said resolution it is not required of the general to enter into the detail and examination of the said accounts, to enable him to confirm the report of the commissioners, and such duty being in time of war impracticable;

Resolved, therefore, That so much of all the accounts above described as shall be approved by the commissioners, and not objected to by the general, shall be paid by his warrant in the manner the said resolution prescribes.

Resolved, That there be allowed to each of the commissioners for settling the public accounts of the army in the northern and middle departments while they respectively continue in that office, at and after the rate of four dollars a day.

A letter of the 26th from governor Johnson of Maryland, inclosing a copy of a letter from the said governor to James Nicholson, captain of the Virginia, and of captain Nicholson's answer, being received, was read.

Ordered, That the same be referred to the marine committee, and that they report thereon to-morrow.

Resolved, That the said committee be directed to order captain Nicholson to dismiss all the men he has impressed, and not to depart with the frigate till further orders.

Resolved, That two members be added to the said committee.

The members chosen, Mr. P. Livingston, and Mr. W. Smith.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *April* 30, 1777.

A letter of the 28th from general Washington at Morristown, with a copy of a letter to him from brigadier general M'Dougal, and sundry other intelligence respecting the enemy's marching to Danbury, was read.

Resolved, That a committee of four be appointed to confer with the commissary general on the means of obviating the ill consequences that may ensue from the loss of the provisions at Danbury.

The

The members chosen, Mr. Duer, Mr. Nelson, Mr. S. Adams, and Mr. Gerry.

Ordered, That 400 dollars be paid to captain John Hunter, the same being in full of an order in his favour drawn by general Washington on William Palfrey, esq: paymaster general, for recruiting a company on continental establishment, dated the 26th of April, 1777, and that the same be charged to the account of the said William Palfrey, esquire.

Resolved, That a committee of three be appointed to prepare an address to the inhabitants of the Thirteen United States, on the present situation of public affairs:

The members chosen, Mr. Wilson, Mr. Duer, and Mr. Burke.

Resolved, That a committee of three be appointed to confer with the executive power of the state of Pennsylvania, on the general situation of affairs in that state:

The members chosen, Mr. Duer, Mr. J. Adams, and Mr. Rumsey.

Resolved, That 100,000 dollars be advanced to the state of Pennsylvania for public service, the said state to be accountable.

The committee appointed to confer with the commissary general brought in a report, which was read.

Ordered, That a copy of the said report be sent to general Washington by general Schuyler, with the reasons on which the same is founded; and that so much of the said report as relates to the removal of provisions from Derby, Salisbury, Canaan and Sharon, and the magazines from which the armies are to be supplied, be delivered to the quarter-master and commissary general, with orders to take measures for carrying the same into execution, if approved by general Washington.

Resolved, That one thousand head of fat cattle be immediately purchased in the eastern states and sent without delay into Ulster county, to be there dispersed among the inhabitants with orders to keep up their flesh with hay, corn or otherwise, until they can be turned to grass.

Resolved, That if the enemy attempt to penetrate up Hudson's river, all the wheat that can be collected in Dutchess county, and in the manor of Livingston, Claverick, and Kinderhook districts, be removed into the north western parts of Connecticut and the western parts of Massachusetts-Bay; and that it be recommended to the convention of the state of New-York to direct the mode of doing it.

Resolved, That the legislatures of the eastern states be desired to recommend and point out to the inhabitants thereof, such mode as to them shall seem best calculated to afford the most early supply of grass fattened cattle, for the use of the armies of the United States.

Resolved, That the commissary general be directed to deliver 500 bushels of salt to such persons as the quarter master general

ſhall appoint to receive the ſame, and that it be immediately ſent into Ulſter county, to be divided and lodged at the different magazines of proviſions to be formed there.

Reſolved, That major general Schuyler be directed to ſend a proper officer to haſten the march of the Carolina continental troops ſuppoſed to be now on their way to head quarters; that the ſaid troops halt at Dumfries, Colcheſter and Alexandria, in Virginia, there to paſs through inoculation; which the hoſpital ſurgeons, lately diſpatched from this city to Dumfries, are directed to ſee effected with the greateſt diſpatch.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *May* 1, 1777.

A letter of the 21ſt of April from Ephraim Blaine, eſquire, was read;

Ordered, That it be referred to the board of war.

An appeal from the judgment of a court of admiralty held at Newbern, for the port of Beaufort, in the ſtate of North-Carolina, on the libel "James Coor, &c. vs. the brigantine Hannah, &c." being lodged with the ſecretary, was referred to the committee on appeals.

Reſolved, That fifty blank commiſſions for private ſhips of war, with an equal number of inſtructions and reſolutions of Congreſs for taking or deſtroying the veſſels of the ſubjects of Great-Britain, be delivered to the committee for foreign affairs, to be by them tranſmitted to the commiſſioners at the court of France.

Ordered, That the committee for foreign affairs reviſe the commiſſions for private ſhips of war, and the inſtructions heretofore given to the commanders of the ſaid ſhips, and report ſuch alterations and amendments as they judge proper to be made therein.

Reſolved, That Tueſday next be aſſigned for appointing commiſſioners for the courts of Vienna, Berlin and Tuſcany.

Congreſs took into conſideration the letter of the 26th of laſt month from governor Johnſon, the copy of the ſaid governor's letter to capt. James Nicholſon, and capt. Nicholſon's anſwer; whereupon,

Reſolved, That this Congreſs will never countenance or ſupport any continental officer in violating the laws of any ſtate or treating its magiſtrates with contempt.

Reſolved, That captain James Nicholſon be ſuſpended from all command in the ſervice of the United States, until he ſhall have made ſuch ſatisfaction as ſhall be accepted by the executive powers of the ſtate of Maryland, for the diſreſpectful and contemptuous letter written by him to the governor of that ſtate.

Reſolved, That captain James Nicholſon be ſerved with a copy of the ſaid reſolutions, and that in caſe he ſhall not within five days after he hath been ſerved with the ſaid copy, make the

ſatisfaction

ſatisfaction required, he be diſmiſſed from his command from the ſervice of the United States.

Ordered, That the foregoing reſolutions be immediately tranſmitted by the marine committee, and that they give the neceſſary orders for immediately diſmiſſing the men impreſſed by captain Nicholſon.

A letter of the 30th of April from general Waſhington, with ſundry papers incloſed, reſpecting the enemy's expedition to Danbury, was read:

Ordered, That the ſame, together with the letters received yeſterday on the ſame ſubject, be referred to the committee of intelligence.

Congreſs being informed that governor Johnſon has, in purſuance of the reſolution of Congreſs of April 19th, for the purpoſes therein expreſſed, detained colonel Richardſon's battalion, two companies of which are now in Philadelphia on their way to general Waſhington.

Reſolved, That the ſaid companies proceed to the army, and that governor Johnſon be empowered to replace them by detaining two companies of the weakeſt Maryland battalion remaining in that ſtate.

A petition from Patrick Colvin, was read:

Ordered, That it be referred to the board of treaſury.

Ordered, That a warrant for 22,000 dollars be drawn on Joſeph Borden, eſquire, commiſſioner of the loan office for the ſtate of New-Jerſey, in favour of William Palfrey, eſquire, paymaſter general, who is to be accountable.

The committee on the treaſury reported;

"That there is due to Joſeph Ward, eſquire, for his ſervices as ſecretary to major-general Ward, while he had the command in Maſſachuſetts-Bay, as follows; from the 20th of April, 1775, to the 2d of July following, 73 days; and from the 30th of March, 1776, to the 26th of September following, 180 days, making in the whole 253 days, at 33 dollars per month, 274.24 dollars.

To David Kerr, late a priſoner of colonel Montgomery's battalion of the flying camp, for his pay from the time he was taken priſoner till his return, one month and twenty days, 12 dollars:

To Andrew Elder, late a corporal in the above battalion, for his pay while a priſoner, and which is claimed by his father, one month and 23 days, 12.86 dollars:

To colonel Henry Haller, for the balance of the pay roll of his battalion of Pennſylvania forces of the flying camp, the ſum of £.1380 : 18 : 0 : 1-2:

To ſundry ſoldiers of the ſaid battalion who were taken priſoners and have ſince returned, and which is to be paid to the ſaid H. Haller, £.683 : 13 : 10, equal to 1823.16 dollars, both ſums making 5505.52 dollars."

Ordered, That the ſaid ſums be paid.

Ordered, That Mr. Brownſon have leave of abſence.

Ordered, That Mr. Thornton have leave to return home.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to morrow.

FRIDAY, *May* 2, 1777.

Ordered, That Mr. Wolcott have leave of Congreſs to return to Connecticut.

Ordered, That 500 dollars be advanced to the delegates of Connecticut for the uſe of that ſtate, which is to be accountable.

Ordered, That 224 1-2 dollars be advanced to Morgan Alexander, captain in the 2d Virginia battalion; he to be accountable.

The committee on the treaſury reported;

"That there is due to Chriſtopher, jun. and Charles Marſhall, for ſundry medicines and chirurgical inſtruments ſupplied by them for the uſe of different battalions of continental forces, the ſum of 4151.48 dollars:

"To doctor George Glentworth, for ſundry medicines ſupplied the ſick of captain Doyle's company in continental ſervice, the ſum of 28.48 dollars:

"To doctor Frederick Phile, for ſundry medicines adminiſtered by him to ſeveral battalions of continental forces, the ſum of 1312.33 dollars."

Ordered, That the ſaid accounts be paid

Reſolved, That all muſter rolls directed to be taken be ſworn to before ſome general officer of the army, or in the abſence of a general officer, before the commanding officer of the poſt where the muſter is made, or ſome civil magiſtrate in theſe United States; and a certificate thereof be made on the back of each roll in the words following, "We do ſwear that the within muſter roll is a true ſtate of the company without fraud to theſe United States, or to any individual, according to our beſt knowledge." A. B. C. D. lieutenant or enſign. Sworn to before me, this day of E.

Reſolved, That each deputy muſter maſter deliver to the deputy muſter maſter general of his department, one certified copy of all muſter rolls, by which the latter ſhall make the abſtracts required from him.

Reſolved, That the commiſſary general of muſters and his deputies, ſhall take an oath of office and fidelity to theſe United States.

Reſolved, That in the abſence of the commander in chief from any department, the deputy muſter maſters ſhall be appointed by the commander in that department.

Reſolved, That the muſtering officers be empowered and directed to require of the officers, whoſe troops are muſtered, any papers or vouchers relative to the inliſtment and muſter.

Ordered,

Ordered, That the sum of 1600 dollars be advanced to colonel John Hawkins Stone, of the first Maryland battalion; and the sum of 1066.2-3 dollars to lieutenant colonel Thomas Woolford of the second, for the use of their respective battalions; they to be accountable.

Resolved, That a major general and a brigadier general be appointed in the army of the United States.

Congress proceeded to ballot for a major general, and brigadier general Benedict Arnold was elected.

Resolved, That the appointment of a brigadier general be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *May* 3, 1777.

Ordered, That the sum of 885.1-3 dollars be advanced to the delegates of Maryland for the use of the detachment of colonel Richardson's battalion, which is ordered to join the army under the immediate command of general Washington; and that the said sum be charged to the account of the said battalion.

Ordered, That 100,000 dollars be advanced to Joseph Trumbull, esquire, commissary general, for the public service; he to be accountable.

The board of war brought in a report, which was taken into consideration: whereupon,

Resolved, That Christopher Ludwick be appointed superintendant of bakers, and director of baking in the grand army of the United States; that he have power to license, with the approbation of the commander in chief, or officer commanding at any principal post, all persons to be employed in this business, and to regulate the pay, making proper report of his proceedings, and using his best endeavours to rectify all abuses in the article of bread:

That no person be permitted to exercise the trade of baker in the said army without such license; and that he receive for his services herein, an allowance of 75 dollars a month and two rations a day.

Resolved, That John Belton be authorised and appointed to superintend and direct the making or altering of one hundred muskets, on the construction exhibited by him and called "the new improved gun," and that he receive a reasonable compensation for his trouble and be allowed all just and necessary expences.

Resolved, That Christian Mankey receive a commission as first lieutenant, and George Shoffner as second lieutenant, in captain John Paul Shott's independent company; and that the said commissions bear date the 4th of February last, the time they were appointed to act by the captain, in consequence of orders from general Washington.

Ordered,

Ordered, That the farther conſideration of the report be poſtponed to Monday next.

Reſolved, That Chriſtian Frolock be appointed a ſecond lieutenant in captain Selim's company, of major Ottendorff's corps.

Reſolved, That another brigadier general be appointed in the army of the United States, and that the appointment of the two brigadiers be poſtponed to Monday next.

The committee on the treaſury reported,

"That there ſhould be advanced to colonel Thomas Hartley, commanding one of the ſixteen additional battalions, for the uſe of his regiment, on the application of major Lewis Buſh, the ſum of 6000 dollars; the ſaid colonel to be accountable:

That there ſhould be advanced to colonel David Hall, commanding the battalion of continental troops raiſed in the ſtate of Delaware, 6000 dollars, for the uſe of his battalion; he to be accountable:

That there ſhould be advanced to captain John Paul Shott, for the uſe of his independent company, the ſum of 300 dollars; he to be accountable:

That there is due to captain Samuel Griffith, for the expences of ſeven men from Baltimore to Philadelphia as a guard for money, 37 dollars:

To Robert Erwin, for 12 cords of wood and ſawing, delivered for the uſe of Congreſs, 131 dollars:

To James Jackſon, to be paid to colonel Henry Haller, for pay as a private from the 15th of December to the 24th of January, when he returned from New-York, and his mileage from thence, 9.79 dollars:

To Styner and Ciſt, printers, for printing the addreſs of the aſſembly for the ſtate of New-York, in German, 1000 copies, and for paper, 39.39 dollars:

To Lewis Weiſs, for tranſlating the ſaid addreſs into German, 16 dollars.

To the committee of York county in Pennſylvania, for the board of ten priſoners from the 3d of July to the 23d of November, 19 weeks, at one dollar per man per week, a balance of 180 dollars:

To Nathaniel Donnel, as commiſſary of muſters for the militia, for pay from the 16th of July, 1776, to the 25th of March, 1777, eight months and nine days, at 40 dollars a month, and for 250 days rations, at 4 rations a day, both amounting to 421.54 dollars:

To William Smith, late a captain in the 6th Pennſylvania battalion commanded by colonel Irwin, on the balance of his ſeveral accounts, 1799.89 dollars:

To William Rippey, late a captain in the ſame regiment, on his ſeveral accounts, 156.68 dollars:

To captain Hay, for a balance of ſeveral accounts againſt his company in the ſaid regiment, 960 dollars:

To

To captain Jeremiah Talbot, for a balance on his account againſt his company in the ſaid regiment, 1233.6 dollars."

Ordered, That the ſaid accounts be paid.

Reſolved, That whenever an account with the United States ſhall be ſettled by any of the commiſſioners of accounts, returned to and approved by the board of treaſury, and by them reported to and confirmed by Congreſs, the board of treaſury ſhall be authoriſed to give the accountant a ſufficient diſcharge for the ſame.

The committee on the treaſury reported:

"That the commiſſioners for ſettling the accounts of the army in the northern deparment, have produced to the treaſury board, among other accounts adjuſted by them, a general account of the receipts and diſburſements of major general Schuyler, and a ſeparate account of the diſpoſal of ſpecie remitted to him by Congreſs and otherwiſe, for carrying on the military operations in Canada: That the laſt mentioned account has at general Schuyler's immediate requeſt, been examined by the board of treaſury, with the ſeveral vouchers: That it appears to this board, that before general Schuyler was ſupplied by Congreſs with any ſpecie at all, he ſent into Canada for the public ſervice more than 3250 dollars in ſpecie; that he ſent ſuch farther ſums in ſpecie into Canada raiſed on his private credit, that when the army retreated from thence, he was in advance upwards of the value of 10,000 dollars in ſpecie, above what he had been ſupplied with by Congreſs; that to reimburſe his friends who had lent him the ſaid ſpecie, he after the retreat from Canada, drew out of the military cheſt ſeveral ſums in ſpecie, with which it was ſupplied after ſuch retreat; but that he remains upon the final ſettlement of the ſaid account in advance for the public in ſpecie, upwards of the value of 3250 dollars more than he ever received in ſpecie, having taken continental money in payment thereof: That it further appears from the ſaid account and vouchers, that none of the ſpecie ſupplied to him by Congreſs before the retreat from Canada, remained in his hands more than two days, the ſame being delivered over to the deputy paymaſter general.

Reſolved, That the ſaid report be accepted, and that the ſame be publiſhed.

Reſolved, That Tueſday next be aſſigned for the election of commiſſioners of the navy in the four New-England ſtates.

The ſeveral matters to this day referred, being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *May* 5, 1777.

Ordered, That there be paid to John Carter the ſum of 1380 dollars, the ſame being in full of a bill of exchange in his favour, dated at Albany, March 24, 1777, and drawn by John Pierce, jun. aſſiſtant paymaſter; and that the ſame be charged to the account of Jonathan Trumbull, jun. deputy paymaſter general

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in the northern department, agreeable to the tenor of the ſaid bill.

Ordered, That a warrant for 20,000 dollars be drawn on Michael Hillegas, eſquire, treaſurer, at Baltimore, in favour of Jonathan Hudſon, for public ſervice; he to be accountable.

A letter of the 27th of April from Elias Boudinot, incloſing a counterfeit thirty dollar bill, was read:

Ordered, That it be referred to the board of treaſury.

Congreſs reſumed the conſideration of the articles of confederation as reported by the committee of the whole; and after debate thereon,

Reſolved, That the farther conſideration thereof be poſtponed.

Ordered, That 2000 dollars be advanced to the ſtate of Rhode-Iſland; the ſaid ſtate to be accountable.

Ordered, That Mr. Rumſay have leave of abſence.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *May* 6, 1777.

A letter of the 5th from general Waſhington, and one of the 29th of April from general Gates, were read.

Ordered, That the letter from general Gates be referred to the board of war; and that they be directed to ſend a copy thereof to general Waſhington, and inform him it will be agreeable to Congreſs that he forward with all convenient diſpatch two troops of horſe to general Gates.

The marine committee brought in a report, which was taken into conſideration; whereupon,

Ordered, That a warrant for 30,000 dollars be drawn on Joſeph Clarke, eſquire, commiſſioner of the loan office for the ſtate of Rhode-Iſland, in favour of Daniel Tillinghaſt, eſquire, for the uſe of the ſhips of war in that ſtate:

That a warrant for 20,000 dollars be drawn on John Lawrence, eſquire, commiſſioner of the loan office for the ſtate of Connecticut, in favour of Barnabas Deane, for the uſe of the ſhips of war in that ſtate:

That a warrant for 60,000 dollars be drawn on Nathaniel Appleton, eſquire, commiſſioner of the loan office for the ſtate of Maſſachuſetts-Bay, in favour of Thomas Cuſhing, eſquire, for the uſe of the navy in that ſtate:

That a warrant for 40,000 dollars be drawn on Nicholas Gilman, eſquire, commiſſioner of the loan office for the ſtate of New-Hampſhire, in favour of John Langdon, eſquire, for the uſe of the ſhips of war in that ſtate.

A letter of the 3d from general Waſhington, incloſing an extract of a letter of the 21ſt of April from general Heath at Boſton, was read;

Ordered, That the ſame be referred to the board of war.

Congreſs

Congreſs reſumed the conſideration of the report from the board of war of the 29th of April; whereupon,

Ordered, That a warrant be drawn on Nathaniel Appleton, eſquire, commiſſioner of the loan office for the ſtate of Maſſachuſetts-Bay, in favour of the preſident of the council of the ſaid ſtate, for 2000 dollars, to be by him paid to John Allen, eſq. agent for Indian affairs in the eaſtern department, for the ſervice of that department; the ſaid Mr. Allen to be accountable for the expenditure.

Ordered, That the remainder of the report be recommitted.

Congreſs proceeded to the election of a board of aſſiſtants to the marine committee, in the eaſtern department; and the ballots being taken,

William Vernon, James Warren, and John Deſhon, eſquires, were elected.

Reſolved, That the ſaid board be empowered to employ a clerk with a ſalary of five hundred dollars per annum.

The committee on the treaſury reported:

"That there ſhould be advanced to lieutenant William Reily, for the uſe of a detachment of colonel Carvil Hall's regiment from Maryland on their march to join general Waſhington, the ſum of 60 dollars; colonel Hall to be accountable:

That there ſhould be put into the hands of the commiſſioners of accounts, for the payment of ſuch of the Pennſylvania troops as having been taken in Canada and releaſed on their parole, ſhall apply for the ſame, the ſum of 300 dollars; the commiſſioners to be accountable:

That there ſhould be advanced to colonel Marſhall, of the 3d Virginia regiment, for the uſe of the ſaid regiment, the ſum of 500 dollars; he to be accountable:

That there is due to Gunning Bedford, for his pay as muſter maſter general, from the 17th of September, 1776, to the 12th of April, 1777, being 6 months and 26 days, at 40 dollars per month, 274.60 dollars; for his rations, 206 days at 4 rations a day is 824 rations, at eight-pence, 73.22 dollars; the whole amounting to 347.82 dollars:

To brigadier general Thompſon, for his pay from the month of December laſt to April inclusive, being five months, at 125 dollars per month, 625 dollars:

To Frederick Kelhopper, for ſundry meals ſupplied men of colonel Wood's battalion, 8.30 dollars."

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a farther report, which was taken into conſideration; whereupon,

Reſolved, That the appointment of Meſſrs. James Calhoon and William Young by the board of treaſury at Baltimore, after the adjournment of Congreſs from that place to Philadelphia, as ſuperintendants of the preſs, be confirmed by Congreſs.

Resolved, That the governor and council of Maryland be desired to appoint superintendants of the press in the room of such as shall discontinue in that office, and return their names to Congress, together with their qualifications, agreeable to a form in the hands of the present superintendants.

Resolved, That any continental officers, being in Baltimore on their march to the camp at the time when money is ordered by Congress to Philadelphia, shall at the request of the treasurer escort the same, and detain a sufficient guard for this purpose for a time not exceeding three days.

Ordered, That 400,000 dollars be forthwith paid to the board of war, to be by them sent to the paymaster general, for the use of the army; he to be accountable.

Ordered, That the treasurer pay to John Gibson, esquire, auditor general, the sum of 500,000 dollars, to be draughted out of his hands by order of Congress; he to be accountable.

A memorial from Bajeu de Porte was read.

Ordered, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *May* 7, 1777.

A letter of the 6th from J. M'Kinley, president of the state of Delaware, and a memorial from major general Schuyler, were read:

Ordered, That the letter from Mr. president M'Kinley be referred to the board of war.

It having been represented to Congress that sundry pieces of cloth were taken by the order of general Washington from John Hart, esquire's, fulling mills in the month of December last, to prevent the same from falling into the hands of the enemy; and that part of the said cloth was in the possession of the quarter master general, and part used for the public service,

Ordered, That the quarter master general and his deputies deliver to John Hart, esquire, all such cloth as he or they may have in their possession, taken from Mr. Hart's fulling mills near Rockey-hill in New-Jersey, in December last; and also account and pay for all the cloth taken from thence, which has been used and cannot be delivered.

Ordered, That the sum of 1266 2-3 dollars be advanced to Uriah Forrest, major of the 3d Maryland regiment, for the use of such part of the said regiment as is under his command; and that the same be charged to the account of the said regiment.

Ordered. That a warrant for 200,000 dollars be drawn on Nathaniel Appleton, esquire, commissioner of the loan office for the state of Massachusetts-Bay, in favour of Joseph Trumbull, commissary general, he to be accountable.

Resolved, That the consideration of the memorial of general Schuyler be postponed till to morrow.

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The marine committee brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The ſeveral other matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *May* 8, 1777.

Ordered, That a warrant iſſue on Thomas Smith, eſq commiſſioner of the loan office for the ſtate of Pennſylvania, for 100,000 dollars; and another for 20,000 dollars on the continental treaſurer at Baltimore, both in favour of James Meaſe, clothier general, for the public ſervice, he to be accountable.

Ordered, That Mr. Nelſon have leave to return to Virginia, for the recovery of his health.

A letter of the 6th from Joſeph Trumbull, eſquire, commiſſary general, with an account referred to him incloſed, was read:

Ordered, That the ſame be referred to the board of treaſury.

A letter of the 7th from governor Livingſton at Hattonfield, to doctor Witherſpoon, was laid before Congreſs and read, requeſting a guard of 25 or 30 continental troops, for purpoſes therein mentioned; whereupon,

Reſolved, That general Schuyler be empowered and directed to ſend to governor Livingſton at Hattonfield, in New-Jerſey, a guard of 25 or 30 continental troops, under proper officers, to be under the command and direction of the ſaid governor Livingſton.

The ſecret committee having laid before Congreſs ſundry letters and papers received by the Amphitrite, arrived at Portſmouth, from France, and the ſame being read;

Ordered, That the ſaid committee furniſh the board of war with copies of the invoices of military ſtores and entrenching tools, with a liſt of the French officers and copies of their agreements with Mr. Deane, in order that the ſaid board may give the neceſſary directions relative thereto:

That the ſaid committee furniſh the clothier general with copies of the invoices of all cloathing and articles that relate to his department, that he may give the proper orders relative thereto:

That the board of war ſend copies of the invoices, agreements and liſt of the officers, with copies of their orders relative to the ſame, to general Waſhington.

That the ſecret committee give ſuch directions relative to the Amphitrite, and other French ſhips employed in bringing ſtores from France, as they ſhall judge moſt likely to promote the public ſervice.

Reſolved, That Mr. J. Langdon be empowered to advance to the French officers arrived in the ſtate of New-Hampſhire, with whom Mr. Deane has contracted, ſuch ſums of money as may be neceſſary for their ſubſiſtence, and to enable them to proceed

to such posts and places as they may be ordered to by general Washington; and transmit an account of the money so advanced to the paymaster general.

Congress took into consideration the memorial from major general Schuyler; whereupon,

Resolved, That the explanation given in major general Schuyler's memorial of the expressions used in his letter of the 4th of February last to Congress, is satisfactory; and that Congress entertain now the same favourable sentiments concerning him which they entertained before that letter was received.

It being represented that the standing committee for hearing and determining appeals is too numerous:

Resolved, That the said committee be discharged, and that a new committee of five be appointed, they or any three of them to hear and determine upon appeals brought to Congress.

The members chosen, Mr. Wilson, Mr. Duane, Mr. J. Adams, Mr. Sergeant, and Mr. Burke.

Resolved, That Mr. Clymer be discharged from serving as a member of the board of treasury, in order that he may be enabled to give attendance at the board of war.

Resolved, That a member be added to the board of war.

The member chosen, Mr. Carroll.

Resolved, That a member be added to the board of treasury:

The member chosen, Mr. Walton.

Ordered, That the secret committee sell 1000 lb. of sulphur to Mr Wisner, and 1000 lb. to Mr. Livingston, for the use of their powder mills.

The committee on the treasury reported:

"That there is due to Robert Jewel, for the maintenance of state prisoners from the 21st of February to the 11th of April, including fire-wood and candles, 14.80 dollars, the balance of his account:

To captain Thomas Rodney, for pay, subsistence and mileage of a volunteer company from the Delaware state, 424.8 dollars:

To Cæsar Rodney, esq. for his pay and rations as brigadier general, from the 6th of January to the 6th of March, 314 dollars:

To lieutenants M'Kinnan, Cox, Brattan, and Duff, of the Delaware battalion, commanded by colonel Hall, for 11 days in going to Lancaster and returning as an escort to prisoners sent from hence, 115.18 dollars:

To James Gillingham, for two chests and letter cases made for the treasury office, 27.30 dollars:

To lieutenant Thomas Houston, for the pay of a company of Bucks county militia, in colonel Kirkbride's battalion, 115.69 dollars:

To Thomas Plunket, for the expence of himself and a guard with money from Baltimore to this city, and for their expences returning, 59.89 dollars:

To

To lieutenant William Bird, of the 3d Pennſylvania regiment, for a balance of pay between the 1ſt of March, 1776, and the 5th of January, 1777, 109.30 dollars:

To doctor Thomas Hendrey, for his extraordinary ſervices in New-Jerſey, 50 dollars:

To Reuben Smith, for 5 days ſervice, taking a liſt of medicine in Woodbury, Connecticut, 11.7 dollars:

To John Brick, for expences paid for two ſick privates of colonel Seely's battalion of New-Jerſey militia, 22.36 dollars:

To doctor John Griffith, for medicine and attendance on ſundry ſick ſoldiers, 38.45 dollars:

To William Hurrie, for ſundry expences he paid while attending Congreſs, 8.12 dollars; and for 36 days attendance as door-keeper, from the 10th of March to the 1ſt of May, at one dollar a day, 36 dollars:

To Captain Thomas Hanſon, for mileage of his company of Maryland flying camp from Philadelphia to Charleſton, Maryland, 200 miles out and home, 391.10 dollars:"

Ordered, That the ſaid accounts be paid.

The committee for foreign affairs reported the draught of a new commiſſion for commanders of private ſhips of war, and a bond to be given by them, which were read and agreed to.

The form of the commiſſion is as follows:

In CONGRESS.

The delegates of the United States of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New York, New-Jerſey, Pennſylvania Delaware, Maryland, Virginia, North-Carolina, South Carolina and Georgia, to all unto whom theſe preſents ſhall come, ſend greeting. KNOW YE, That we have granted, and by theſe preſents do grant licence and authority to , mariner, commander of called the , of the burthen of , mounting carriage guns, and navigated by men, to fit out and ſet forth the ſaid in a warlike manner, and by and with the ſaid and the crew thereof, by force of arms to attack, ſubdue, and take all ſhips and other veſſels whatſoever, carrying ſoldiers, arms, gun-powder, ammunition, proviſions or any other contraband goods to any of the Britiſh armies or ſhips of war employed againſt theſe United States: And alſo to attack, ſeize, and take all ſhips or other veſſels belonging to the inhabitants of Great-Britain, or to any ſubject or ſubjects thereof, with their tackle, apparel, furniture and ladings, on the high ſeas, or between high and low water marks (the ſhips or veſſels, together with their cargoes, belonging to any inhabitant or inhabitants of Bermuda, Providence, and the Bahama iſlands, and ſuch other ſhips and veſſels bringing perſons with intent to ſettle and reſide within any of the United States, or bringing arms, ammunition, or warlike ſtores to the ſaid ſtates, for the uſe thereof; which ſaid ſhips or veſſels you ſhall ſuffer to paſs unmoleſted

moleſted, the commanders thereof permitting a peaceable ſearch, and giving ſatisfactory information of the contents of the ladings, and deſtination of the voyage, only excepted) and the ſaid ſhips or veſſels ſo apprehended as aforeſaid, and as prize taken, to carry into any port or harbour within the dominions of any neutral ſtate willing to admit the ſame, or into any port within the ſaid United States, in order that the courts there inſtituted to hear and determine cauſes civil and maritime, may proceed in due form to condemn the ſaid captures, if they be adjudged lawful prize; or otherwiſe acccording to the uſage in ſuch caſes at the port or in the ſtate where the ſame ſhall be carried. The ſaid having given bond with ſufficient ſureties, that nothing be done by the ſaid or any of his officers, marines, or company thereof, contrary to or inconſiſtent with the uſage and cuſtom of nations; and that he ſhall not exceed or tranſgreſs the powers and authorities contained in this commiſſion. And we will and require all our officers whatſoever in the ſervice of the United States, to give ſuccour and aſſiſtance to the ſaid in the premiſes. This commiſſion ſhall continue in force until the Congreſs ſhall iſſue orders to the contrary. Dated at

By order of Congreſs,

Atteſt. Preſident.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *May* 9, 1777.

The board of war brought in a report, which was taken into conſideration; whereupon,

Reſolved, That a reward of twenty-four dollars be paid to every non-commiſſioned officer or ſoldier who ſhall come over with his arms from the enemy.

Ordered, That the remainder of the report be recommitted.

Ordered, That a warrant for 22,336 2-3 dollars be drawn on Joſeph Clarke, eſq. commiſſioner of the loan office for the ſtate of Rhode-Iſland, in favour of Daniel Tillinghaſt, eſquire, and charged to the account of James Meaſe, eſq. clothier general; the ſame being in full for clothing purchaſed by the ſaid Daniel Tillinghaſt for the uſe of the army.

Ordered, That the ſum of 2319 2-3 dollars be advanced to Samuel Ewing, paymaſter of the 2d Maryland battalion of continental troops, for the uſe of the ſaid battalion; he to be accountable.

Reſolved, That the preſident write to the executive powers of each of the Thirteen United States, requeſting them to tranſmit to Congreſs with all convenient diſpatch, authenticated copies of all the petitions, memorials, and remonſtrances that were ſent to the king and parliament of Great-Britain reſpecting American grievances, between the firſt of January, 1764, and the firſt of September, 1774, incluſive, with the anſwers to ſuch if any have been received. The

The committee on the treasury reported:

"That there is due to John Jarvis, for the pay of a company of Bucks county militia in colonel Kirkbride's battalion, between the 28th of December and the 27th of March, 461.67 dollars:

To captain Stephen Porter, for balance of pay and mileage of a company of Philadelphia county militia, between the 17th of December and the 4th of February, 79.81 dollars:

To captain Francis Nichols, for difference between the pay of a lieutenant and captain, from the 1st of January to the 15th of November, 1776, 109 dollars:

To James Millegan, John Carter and John Wells, for their pay as commissioners for settling the army accounts in the northern department, from the 26th of July to the 9th of May inclusive, 287 days, at four dollars each per day, 3444 dollars."

Ordered, That the said accounts be paid.

The board of war brought in a report, which was taken into consideration; whereupon,

Resolved, That general Washington be informed that Congress are deeply concerned at the many reports they constantly receive of the misbehaviour of great numbers of the officers of the army in neglecting to settle with, or designedly withholding the pay of the soldiers, whereby the greatest injuries accrue to our cause by occasioning discontents and desertions among the soldiers: and that it be recommended to the general to establish a court of enquiry, to examine into the conduct of the officers as to the payment of their men, to consist of general officers only; and that the paymasters furnish the said court, or any person or persons authorised by them, with accounts of all monies paid to officers for the payment of their regiments, troops or companies; and if any officer or officers shall be found delinquent in the payment of the men under their command, such officer or officers be dismissed with infamy, and accounts of their misconduct transmitted to the states wherein they were appointed; in order that the said officers be prosecuted at law as peculators and public plunderers, for any sum or sums they may be found in arrear.

That it be recommended to the legislatures of the several states to observe great caution in settling the terms on which the militia shall be excused from personal service, agreeably to the resolve of Congress of the 14th day of April last; the measure therein recommended having been found by experience subject to great abuses and inconveniencies.

A petition from Francis Wade, and one from John Lawrie, Michael Mount and Jacob Hendrickson, were read:

Ordered, That they be referred to the committee on the commissary's department.

Ordered, That Mr. Roberdeau have leave of absence for the recovery of his health.

The several matters to this day referred, being postponed, adjourned to 10 o'clock to-morrow. SATURDAY,

SATURDAY, *May* 10, 1777.

Ordered, That the sum of 4000 dollars be paid to John Anderson or order, and charged to the account of colonel George Morgan, the same being in full of colonel G. Morgan's draught in favour of the said John Anderson, dated Fort Pitt, February 12, 1777.

A letter of the 9th from J. M'Kinley, president of Delaware; one of the 2d from major general Gates at Albany: and one of the 22d of April, from colonel H. Crawford at Fort Pitt; also the proceedings of a court-martial held at Philadelphia, the 30th of April, 1777, on the trial of captain Lang, with gen. Schuyler's disapprobation thereof, delivered at head quarters, Philadelphia, May the 9th; and the proceedings of a court-martial held at Philadelphia, May the 5th, and approved by general Schuyler, were laid before Congress, and read:

Ordered, That the letter from general Gates and the proceedings of the court-martial, be referred to the board of war.

Ordered, That the board of war enquire into the conduct of capt. Gamble, a prisoner at Princeton, and particularly of doctor Stappleton, who has been permitted to attend capt. M'Pherson, a prisoner of the 17th British regiment at the same place: That they write to governor Livingston relating to the conduct of the said doctor Stappleton, and transmit to general Washington the result of their enquiries, and desire him to give such orders respecting the said doctor as may be consistent with the laws of nations and the public weal; and that they give orders for the immediate removal of the said officers and doctor from Princeton and the line of communication.

Ordered, That 1000 dollars be advanced to maj. George Lyne, of the 12th Virginia regiment, for the use of the said regiment.

Resolved, That the case of the soldiers of the 7th Virginia regiment, be referred to the board of war, who are desired to report whether any cloaths are to be allowed to them.

The committee on the treasury reported:

"That there should be advanced to major Ottendorf, for the use of his corps, 500 dollars; he to be accountable:

That there should be advanced to James Hunter, paymaster to the 4th Pennsylvania battalion of continental troops, 2000 dollars, for the use of the said battalion; the said paymaster to be accountable.

That there is due to Philip Melon, late a private in captain Rippey's company of the 6th Pennsylvania regiment, for a rifle gun taken by the enemy, 13.60 dollars:

To William Millegan, late a private in captain Talbot's company of the 6th Pennsylvania regiment, for his pay from August the 1st to the 20th of March, 1777, being 7 months and 20 days, at 6 2-3 dollars per month, 51.10 dollars:"

Ordered, That the said accounts be paid.

The

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

Resolved, That Monsieur Armand have a commission with the rank of colonel, and that he be directed to repair to general Washington.

That Monsieur Malmedy be promoted to the rank, and have the pay of a colonel in the service of the United States.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *May* 12, 1777.

A letter of the 5th from general St. Clair at Bedford, and a petition from Ebenezer Hazard, were read:

Ordered, That the petition be referred to the committee on the post-office.

A petition from Simon Edwards and others, pilots at Lewistown, was read:

Ordered, That it be referred to the marine committee.

Resolved, That the secret committee be empowered to employ the Amphitrite as an armed vessel in the service of the United States, on the best terms they can make with the captain, and to allow him for his owners, himself and crew, such share of the prizes by her taken, as shall be agreed on between them.

Congress proceeded to the election of two brigadiers general, and the ballots being taken, colonel Jedediah Huntington, and colonel Joseph Reed, were elected.

The committee on the post office to whom the petition of Mr. E. Hazard was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That all post-masters, post-riders, and persons immediately concerned in conducting the business of the post-office, ought to be exempted from all military duties; and that it be recommended to the legislatures of the different states to exempt such persons accordingly.

A letter of the 5th from governor Trumbull was read:

Ordered, That it be referred to the board of war.

A motion being made respecting general Schuyler:

Ordered, That it be referred to the board of war.

A letter of the 9th from general Washington, with a copy of one the 30th of November last from Silas Deane, brought by colonel Conway, were read:

Ordered, That they be referred to the committee on foreign applications.

Resolved, That a member be added to the said committee: The member chosen, Mr. Carroll.

Ordered, That 1000 dollars be advanced to captain Matthew Irwin, to enable him to raise the company to which he is appointed by general Washington, in one the sixteen regiments

Resolved, That the committee on appeals be authorised to appoint a regiſter to attend the ſaid committee.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *May* 13, 1777.

Ordered, That 800 dollars be advanced to captain Craig of the light horſe, for the uſe of his troop; he to be accountable.

Ordered, That the board of war inquire into the truth of a report, that captain Craig has inliſted into his troop ſome deſerters and priſoners from the enemy, and that they take ſuch meaſures as are conſiſtent with the reſolutions of Congreſs and the public ſervice.

A letter of the 10th and one of the 12th from general Waſhington were read:

Ordered, That they be referred to the board of war, who are directed to ſend to the board of treaſury a copy of ſuch parts thereof as relate to the accounts of the army.

Sundry reſolutions of the convention of the ſtate of New-York were laid before Congreſs, and read.

The committee on foreign applications, to whom were referred the letters by colonel Conway, brought in a report; whereupon

Reſolved, That another brigadier general be appointed:

The ballots being taken, Thomas Conway, knight of the order of St. Louis, was elected.

The board of treaſury reported:

"That they have examined the late general Montgomery's accounts with the United States; major general Schuyler's accounts down to the 20th of March laſt; the accounts of Jonathan Trumbull, jun. eſq; paymaſter general of the northern department, to the 28th of January; and the accounts of Walter Livingſton, eſq; deputy commiſſary general for the ſaid department, as reſpectively reported to them, and ſettled and adjuſted by the commiſſioners of accounts of the army in the ſaid department; and that they approve of the ſettlement and adjuſtment of the ſaid reſpective accounts by the commiſſioners." Whereupon

Reſolved, That the ſaid report ſtand confirmed.

Reſolved, That the ſeveral purchaſing and iſſuing deputy or aſſiſtant commiſſaries in the northern department, ſettle and adjuſt their accounts of receipts and expenditures, and iſſues, with the commiſſioners for ſettling the accounts of the army in the ſaid department.

Reſolved, That every warrant of a general officer, having authority to draw on the military cheſt, or paymaſter or deputy paymaſter general in any department, ſhall ſpecify the particular ſervice or account for which the ſame ſhall be drawn, in order to unable the treaſury board and commiſſioners of accounts to make the proper charges and to do juſtice to the public.

Reſolved,

Resolved, That col. Hartley's accounts be referred to the commissioners for examining claims against the United States, and that they be directed to report thereon specially.

A letter of the 6th from R. Yates, at Albany, inclosing a copy of a letter from James Deane, was read:

Ordered, That it be referred to the committee on Indian affairs.

The committee on the treasury reported;

"That there is due to Robert Stevens, for four rifles delivered to captain H. Stevenson, for the use of his rifle company, 55.30 dollars, to be charged to the said captain Stevenson.

To Walter Shee, for superintending the printing and rolling press for the loan-office certificates, twenty-six days, at two dollars a day, 52 dollars:

To Leonard Klem, for the half ferriage of troops over Conestoga Creek, 36.35 dollars, to be paid to John Mucer:

That there should be advanced to Mr. Clajon, secretary to major-general Gates, 200 dollars on account of his pay."

Ordered, That the said sums be paid.

An appeal from the judgment of the court of admiralty, for the state of Rhode-Island and Providence Plantations, on the libels of Joseph Stanton, &c. and Samuel Champlin, &c. against the schooner Two Brothers, being lodged with the secretary, was referred to the committee on appeals.

Congress resumed the consideration of the articles of confederation as reported by the committee of the whole; and after debate,

Resolved, That the further consideration thereof be postponed.

The board of war brought in a report, which was taken into consideration; whereupon,

Resolved, That general Washington be requested to enquire into the case of major Campbell, of the 8th Virginia regiment, and if his commission which was ordered him by the resolution of Congress of the 21st January last was out of course, that the general be empowered to settle all disputes between the said major Campbell, and all the other officers belonging to the state of Virginia, concerning rank; and that the said commission, if the general shall so determine, be rendered null and void.

Ordered, That the secret committee deliver to the quarter-master general. the linen in their hands fit for tents.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *May* 14, 1777.

Ordered, That a copy of the complaint lodged with the marine committee against commodore Hopkins, be delivered to Mr. Ellery, for the said commodore Hopkins.

A letter of the 9th from general Washington, with sundry papers inclosed, was read:

Ordered, That the same be referred to the committee on foreign applications.

Ordered, That a warrant for 10,000 dollars be drawn on the treasurer at Baltimore, in favor of Robert Cummins, for supplying provisions to the troops passing through that town; he to be accountable.

Resolved, That Mr. R. Cummins be directed to make up his accounts, and lay the same before the commissioners for claims at Philadelphia; and that he be directed to make no farther purchases without the special orders of Congress.

The board of war reported: "That they have enquired into the situation of captain Craig's troop, and find there are no deserters from the enemy or prisoners of war therein:

That the Virginia soldiers who served in the continental army last winter under general Washington, should be allowed cloaths agreeable to the general's direction, in consideration of the hardships they endured, and the services they have rendered.

Resolved, That the said report be agreed to.

The committee on the treasury upon a representation to them made by the managers of the lottery of the United States, brought in a report, which was taken into consideration; whereupon,

Resolved, That treasury bank notes for prizes, which shall be drawn in the first class of the United States lottery of the denominations required by the scheme, be immediately prepared by the board of treasury; that the said notes be in the form following:

United States Lottery.

NUMBER. DOLLARS. NUMBER.

DOLLARS. *THE United States of America acknowledge themselves to be indebted to in dollars, being for a prize of that value drawn in the United States lottery, which they promise to pay to the said or bearer, on the day of with interest annually at the rate of four per cent, agreeable to a resolution of the United States, passed the eighteenth day of November,* 1776.

That such notes be signed by Michael Hillegas, esq. treasurer of the United States, or by his son Samuel Hillegas, and countersigned by any one of the manager, of the lottery, and numbered from number one progressively:

That the cash prizes in the three first classes of the lottery shall be paid by the managers, and the treasury bank notes for the other prizes issued by them:

That the pre-emption of such tickets in the next succeeding class as shall not be renewed within the time limited in the scheme of the lottery, shall be granted to the fortunate adventurers in the preceding class, according to the order of their application:

That the managers of the lottery of the United States be directed

rected, in cases of doubt or difficulty, to apply for advice to the board of treasury, who are impowered and directed to give the said managers such advice and directions respecting the drawing and conducting the business of the said lottery as they shall judge prudent and expedient.

A petition signed Seth Sweetser, town clerk, in behalf of the town of Charlestown, in Massachusetts-Bay, was read:

Ordered, That it be referred to a committee of three.

The members chosen, Mr. Carroll, Mr. Heyward, and Mr. J. B. Smith.

The committee on the commissary's department brought in a report, which was read:

Ordered, To lie on the table for consideration.

Congress took into consideration the report on the quarter-master's department; whereupon

Resolved, That the quarter-master general of the army be authorised and impowered to appoint one commissary of forage for the army, and one for each of the military departments thereof, with such and so many forage masters as he shall judge necessary.

2. That the duty of the commissary of forage shall be to purchase such quantities of forage and store the same in such magazines as the quarter-master general or deputy quarter-master general of any department shall from time to time order and direct. That the commissaries shall conform themselves in making purchases to such rules and regulations as shall be prescribed to them by the quarter-master general or deputy quarter-master general of the department to which they shall severally belong.

3. That all forage purchased by any commissary of forage and delivered into any magazine, shall be received by the forage-master thereunto appointed, who shall give his receipt for the same, specifying the sort, quantity, and quality, as a voucher for the commissary of forage, to be by him produced to the quarter-master general or deputy quarter-master general of the department in support of his account.

4. The commissaries of forage shall make a monthly return to the quarter-master general or deputy quarter-master general of the department, of all forage by them purchased, specifying to what forage master, and into which magazine the same was delivered, that the forage-master may stand charged therewith.

5. No forage master to whose care any magazine of forage shall be committed, shall issue any part thereof unless by a written order of the commander in chief, the commander in chief of the department, the commanding officer of the post where such magazine may be established, the quarter-master general or deputy-quarter-master general of the department, or one of his assistants, the waggon-master general, or any other waggon-master; such orders to specify for whose use the forage is intended; and every such order to be filed by the forage-master, and a regular entry thereof

thereof made in a book to be by him kept for that purpoſe, as a voucher for the expenditure of the forage by him received.

6. The forage-maſters ſhall make monthly returns to the quarter-maſter general and deputy quarter-maſter general of the departments they belong to of the ſtate of their magazines, ſpecifying the quantity left in ſtore at the firſt and every ſucceeding return, the quantity received ſince the laſt return, the expenditure ſince ſuch return, and what remains on hand.

7. And whereas it frequently happens that there is a neceſſity to detain hired carriages, the owners whereof were to find their own forage, far beyond the time for which the owners thereof agreed to ſerve, and who if their own forage is expended muſt have recourſe to the public magazines; it is reſolved, that ſuch perſons ſo detained and become deſtitute of forage, ſhall upon the written order of any of the officers mentioned in the fifth reſolution, be ſupplied out of the public magazines; and the waggon maſter before he ſigns the diſcharge for any ſuch hired carriage ſhall direct the forage-maſter to indorſe thereon the quantity, ſort and quality, of the forage furniſhed ſuch perſon, that the ſame may be deducted out of the wages due to the owner of ſuch hired carriage; all which deductions ſhall by the quarter-maſter general or deputy quarter-maſter general of the department, be carried to the credit of the forage-maſters accounts who ſhall have furniſhed the forage.

8. If the commiſſary of forage in any department ſhould be ordered to procure ſuch large quantities of forage as to render it impoſſible for him to do it without aſſiſtance, the quarter-maſter general or deputy quarter-maſter general of the department ſhall direct one or more of his aſſiſtants to aid the commiſſary of forage pointing out the diſtricts in which they are ſeverally to purchaſe, that one may not enhance the price by bidding above another.

9. Whereas notwithſtanding the orders that have been from time to time iſſued by general officers of our army to prevent the loſs and embezzlement of intrenching tools and other military ſtores, great waſte hath been made; to prevent which for the future, it is reſolved, that every commiſſary of ſtores, ſtore keeper, or perſon to whoſe charge and care any military ſtores of what kind ſoever ſhall be committed, ſhall paſs his receipt, and ſtand charged to be accountable for the ſame, and ſhall not iſſue any of them without taking a receipt for the ſame, the receiver promiſing to be accountable: and if any perſon having received any ſuch ſtores ſhall loſe or embezzle the ſame, the commiſſary, ſtore-keeper, or perſon by whom they were delivered, ſhall charge him with the value thereof, and tranſmit a copy of ſuch charge to the paymaſter general or deputy-paymaſter general of the department, who is to charge the ſame to the pay-maſter of the corps ſuch perſon may belong to, unleſs it ſhall appear that ſuch loſs happened without any blameable negligence or omiſſion: and if

if any perſon in the continental ſervice ſhall ſell or otherwiſe diſpoſe of any ſtores committed to his care without a written order for ſo doing iſſued by the commander in chief, or the commander in chief of the department, or by a general officer commanding at a ſeparate poſt, he ſhall be puniſhed for theft.

10. The waggon-maſter general of the army, or waggon-maſter in any of the departments thereof, ſhall receive from the quarter-maſter general, or deputy quarter-maſter general of any department, all ſuch horſes, cattle, and carriages as the ſervice may require; and neither the waggon maſter general, nor any other waggon-maſter ſhall on any account preſume to purchaſe any horſes, cattle, or carriages for the public ſervice without the expreſs order of the commander in chief, the commander in chief of the department, the quarter-maſter general or deputy quarter-maſter general of a department; nor ſhall the waggon-maſter general or any other waggon-maſter hire any horſes, cattle or carriages, unleſs by the authority aforeſaid, or by that of an aſſiſtant deputy quarter-maſter general.

11. The quarter-maſter general ſhall appoint ſuch aſſiſtants and make ſuch arrangements for conducting the buſineſs of his department as to him and to the commander in chief and commander of the departments ſhall ſeem moſt conducive to the public weal; and a copy of ſuch arrangement ſpecifying the names of the aſſiſtants, commiſſaries of forage, waggon-maſters, forage-maſters, and clerk of the ſeveral departments ſhall be tranſmitted to the board of war: and every aſſiſtant of the quarter-maſter general of the army, and every aſſiſtant of the deputy quarter maſter general of the ſeveral departments thereof ſhall make monthly returns of every article of what kind ſoever that may be in or at any of the forts, encampments, magazines, or places in the diſtrict committed to his care to the deputy quarter-maſter general of the department, noting what is good, what is reparable, and what is unfit for farther ſervice, in ſeparate columns; from which returns the deputy quarter-maſter general ſhall make one general return, in which ſhall be ſpecified the total of all the articles in every diſtrict within his department; one copy whereof ſhall be monthly tranſmitted to the board of war, one to the commander in chief of the department, and one to the quarter-maſter general; from which returns the quarter-maſter general ſhall make out a general return, ſpecifying what is in each department and every diſtrict thereof; one copy whereof ſhall be monthly tranſmitted to the board of war, one to the commander in chief, and one to the commander of each department.

12. Every aſſiſtant quarter-maſter, commiſſary of forage, waggon-maſter general, forage-maſter, and every other perſon employed in the quarter-maſter general's branch, who ſhall neglect or refuſe to make ſuch monthly returns, ſhall be diſmiſſed the ſervice by the quarter-maſter general or the deputy quarter-

maſter

master general of the department to which such delinquent belongs.

13. And in order that all deputy-quarter-masters general and assistants may make their returns in such a manner as to avoid that great confusion which has heretofore arisen from a want of method, the quarter-master general is to furnish his deputies with a form, copies whereof they are to deliver to the assistants and to every person in the quarter-master generals's branch who may be called upon for a return.

14. The quarter-master general and the deputy quarter-masters general in the several departments shall have full power and be authorised with the consent of the commander in chief, or commander of the department, to dismiss any person by them employed who shall refuse or neglect any duty enjoined by the foregoing resolutions, or any other duty he may be charged with, and to appoint others in the stead of such as may be dismissed.

15. The general and commander in chief of our armies, and the commander of any department thereof, shall be allowed as much forage for their horses and those of their suit as the service may require.

16. A major-general and a brigadier-general, not having the command of a separate department, shall each be allowed forage for six horses for themselves, their aids de camp, or brigade-majors and servants.

17. The commander in chief and the commander in any separate department shall be authorised to allow such quantities of forage, and for and during such times as they shall think proper to the quarter-master general and his deputies, to the muster-master general and his deputies, the chief engineer and his assistants, the commissary-general and his deputies, the director-general of the hospital, his subs and surgeons-general, to the adjutant-general and his deputies, to the colonels, lieutenant-colonels, majors, adjutants, quarter-masters, and surgeons of regiments, and to provosts martial, or to such and so many of the before mentioned officers and their deputies as the service shall necessarily require; provided always, that if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

18. A deputy quarter-master general shall be appointed to each department and one to each grand division of the army; the rank of the former to be that of a colonel, of the latter that of a lieutenant-colonel.

19. The

19. The quarter-master general with the approbation of the commander in chief, or commander in any separate department, shall appoint a competent number of deputy quarter-masters general, a waggon-master general, and so many waggon-masters as the service from time to time requires, and make a return to the board of war of the names of the persons so appointed.

20. *Resolved*, That major-general Mifflin be allowed for his service as quarter-master general 166 dollars per month, in addition to his pay as major-general.

That the pay of a deputy quarter-master general of a grand division of the army be 75 dollars per month:

That the pay of an assistant deputy quarter-master general be 40 dollars per month, and that he have the rank of captain:

That the pay of a waggon-master general be 75 dollars per month:

That the pay of a deputy waggon-master general be 50 dollars a month:

That the pay of a barrack-master general be 75 dols. a month:

That the pay of a waggon-master or conductor of waggons be 40 dollars a month:

That the pay of a forage-master be 40 dollars a month.

Ordered, That 200,000 dollars be advanced to the quarter-master general for the public service, for which he is to be accountable; and that the same be paid by an order in his favor on the commissioner of the loan-office for the state of Pennsylvania for 150,000 dollars, and by another order in his favour on the commissioner of the loan office in the state of Connecticut for 50,000 dollars.

The committee of the treasury reported:

"That there is due to colonel Lewis Dubois, for the pay of his battalion of New-York forces, the sum of 2757.9 dollars:

To captain Zephaniah Lott, for pay and mileage of a company of Bucks county militia in colonel Kirkbride's regiment, 271.30 dollars:

To Jacob Hiltzheimer, for sundry expresses he paid by order of Congress, the sum of 437.36 dollars:

To William Alexander, late a captain in the 7th Pennsylvania battalion, for balance of pay and sundry other charges, 513.63 dollars:

To captain James Wilson, of the 6th Pennsylvania battalion, for the balance of his pay-roll and sundry other charges, 640.76 dollars:

To lieutenant-colonel Beyer, for pay of himself and other field officers of colonel's Levan's battalion of Berk's county militia, 311 dollars:

To George M'Candles, to be paid by Gillam Taylor, for keeping continental horses at Baltimore, 99.57 dollars:

To William Tricket, for ſtationary ſupplied by him to the preſident of Congreſs and board of war, 139.18 dollars."

Ordered, That the ſaid ſums be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *May* 15, 1777.

A letter of the 8th from Joſeph Belton was read, requiring an extraordinary allowance for his new invented gun.

Ordered, That the ſame be diſmiſſed.

The board of war brought in a report; whereupon

Ordered, That there be advanced to Col. Thomas Hartley, 17,800 dollars, to enable him to fulfil the contracts he has made under the recommendation of the board of war and the committee of Congreſs at Philadelphia, for arming and cloathing the battalion under his command; he to be accountable.

That 177,70 dollars be paid to Joſeph Nourſe, clerk of the board of war, for four months ſalary, commencing 10th January laſt.

That the ſum of 790,57 dollars be advanced to the board of war and ordinance, for public ſervice.

A memorial from John Dorſey and others, ſurgeons of the ſhips and veſſels of war in the port of Philadelphia; alſo a petition from the lieutenants of the navy, and a petition from Benjamin Marſhall and Thomas Search, were read:

Ordered, That they be referred to the marine committee.

Ordered, That the board of treaſury prepare and report to Congreſs with all poſſible diſpatch, an eſtimate of the public expences for the preſent year, diſtinguiſhing in ſuch eſtimate the expence of the commiſſary, quarter-maſter and barrick-maſter general, and the medical department; and that they confer with the marine board and with major general Schuyler on this ſubject.

Reſolved, That a committee of three be appointed to deviſe ways and means for defraying the expences of the preſent year; and that they confer on this ſubject with the board of treaſury.

The members choſen, Mr. Morris, Mr. Duer, and Mr. Witherſpoon.

Reſolved, That major general Schuyler be directed to annex captain Burke's independent company to colonel Patton's regiment, until general Waſhington ſhall direct otherwiſe.

The committee on the treaſury reported:

"That there is due to Henry Shitz, for thirty-five reams of paper for continental certificates, 350 dollars:

To Henry Trict, a private in captain Hay's company of the 6th Pennſylvania regiment, for a rifle gun belonging to him loſt in the public ſervice, 14.30 dollars:

To Robert Criſwell, for two months and ten days pay due to Charles Crook, a private in captain William Armſtrong's company of

of colonel Montgomery's regiment of flying camp, which Crook was an apprentice to the said Crifwell, and taken at Fort Wafhington the 16th November, and died at New-York 26th January, 15.50 dollars."

Ordered, That the said accounts be paid.

Ordered, That a warrant for 35,100 dollars be drawn on Nathaniel Appleton, Esq; commissioner of the loan-office in the state of Massachusetts-Bay, in favour of the said Nathaniel Appleton; the same being in full of two orders drawn by Abraham Livingston and William Turnbull, on R. Morris, in favour of the said N. Appleton, one dated at Boston, March 5, 1777, for 20,100 dollars, the other dated at the same place, March 17, 1777, for 15,000 dollars; and that the same be charged to the account of James Mease, clothier general.

The board of treasury having requested the direction of Congress relative to prisoners of the flying camp, to enable the commissioners of claims to settle several accounts.

Resolved, That officers and soldiers of the flying camp who were taken prisoners, and released by the enemy on their parole, or who made their escape, be allowed pay to the time of their return home.

Resolved, That it be referred to the board of treasury to consider whether any allowance and how much ought to be made to the said prisoners for rations, and report thereon to Congress.

Resolved, That every officer, non-commissioned officer, or soldier in the army of the United States, who shall on any pretence whatever presume to take out of any stable, pasture, park, or carriage, any horse or horses belonging to the public, or any belonging to private persons actually employed in the public service, without having authority so to do by written order of the commander in chief, the commander of any department, the commanding officer of any post where such horses may be, the quarter-master general, or any of his deputies or assistants, or by the commanding officer of artillery, or any detachment thereof, who may give order for taking of horses assigned to that corps only, such orders to specify the particular service for which such horse or horses are taken, shall be for such offence as soon as may be brought to a general court martial, and if the fact is proved to the satisfaction of the court, the commander in chief, or other general officer having given order for such court martial to convene, shall upon conviction immediately dismiss from the service such offender, if an officer, unless from some circumstances the commander in chief or such general officer shall see cause to pardon the offence; and if a non-commissioned officer or private, he shall order such corporal punishment to be inflicted as he may think proper, not exceeding one hundred lashes, unless from some circumstances the commander in chief or such general officer shall see cause to pardon the offence.

A petition from James Norris, with two affidavits inclosed, was read:

Ordered, That the same be referred to general Washington.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *May* 16, 1777.

A letter of the 12th and one of the 13th from general Washington, and one of the 15th from major general Putnam, were read;

Ordered, That they be referred to the board of war.

Mr. Frost, a delegate from New-Hampshire, attended and produced the credentials of his appointment; which were read as follows:

"State of New-Hampshire, in the house of representatives, April 1, 1777. Voted and resolved, that major general Nathaniel Folsom, and the honorable George Frost, esq; be and hereby are chosen and appointed delegates to represent this state in the Continental Congress for one year next ensuing, with all such powers and authorities as the delegates heretofore appointed by this state have had and exercised.

Sent up for concurrence. John Dudley, speaker pro tempore.

In council, the same day read and concurred. Attest. E. Thompson, secretary."

Ordered, That 10,000 dollars be advanced to colonel Stephen Moylan, for the service of his regiment of light horse; he to be accountable for the expenditure.

The committee to whom the petition from the town of Charlestown was referred, reported: "That they have duly attended to the several facts set forth in the said petition, and while they lament the distressed condition of the petitioners, reduced from affluence and ease to want and penury by the calamities of war, they regret the inability of the United States to afford the solicited relief. Though the estimation of the damages sustained may be very moderate, and the great and early sufferings of the inhabitants of Charlestown intitle them to particular attention;—yet the committee apprehend, that if Congress were to pay that valuation, claims much more extensive and of a similar nature will be made by other sufferers, and subject the United States to the payment of sums of money, which in the present exigency of their affairs cannot be spared from the support of the present just and necessary war."

Resolved, That Congress agree to the said report.

Resolved, That the committee on the commissary's department be impowered to administer oaths or affirmations to persons examined by them.

The board of war brought in a report, which being read and debated, the determination thereon was at the request of a state postponed till to-morrow.

The

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

Saturday, met and adjourned to 10 o'clock on Monday.

MONDAY, *May* 19, 1777.

A letter of the 16th from general Washington was read:

Ordered, That 10,000 dollars be advanced to Joseph Trumbull, esq. commissary general for public service; he to be accountable.

Ordered, That Mr. Clymer and Mr. Wilson have leave of absence; the former for the recovery of his health, the latter to transact some private affairs.

Application being made in behalf of John Glover for leave to return home to his friends in England:

Ordered, That he have leave to return in a continental vessel by the way of France.

Resolved, That Mrs. Graydon be permitted to go to New-York to see her son, a prisoner, at such time and in such manner as general Washington shall direct.

Resolved, That captain Thomas Webb be considered as a prisoner of war; and that it be referred to the board of war to deal with him as they shall judge consistent with the public weal.

A petition from Nathaniel Forster, of Cape May, in behalf of himself and divers other inhabitants of the said cape, was read; praying to be supplied with a few pieces of cannon, and a suitable quantity of ammunition, for the defence of the inhabitants of the cape, and protection of vessels that may be there driven ashore; whereupon,

Ordered, That the marine committee supply the petitioners with six pieces of cannon, and that the board of war supply them with a suitable quantity of ammunition.

A letter from governor Johnson to the marine committee, with sundry papers inclosed; also a letter of the 9th from William Aylet, esq. at Willamsburgh; one of the 17th from Jonathan Hudson, at Baltimore; and one of this day from the board of war for the state of Pennsylvania, were read:

Ordered, That the letter from the board of war of Pennsylvania be referred to the board of war: that the letter from Mr. Aylet be referred to Joseph Trumbull, esq. commissary general.

Ordered, That 20,000 dollars be advanced to Jonathan Hudson, esq. for public service; he to be accountable:

And that he be informed that the arrearages due to the troops on their march from the southward, will be discharged at Philadelphia or Bristol; and that it is not the intention of Congress that he should advance larger sums than are necessary to forward their march to head quarters.

Resolved, That a committee of three be appointed to consider what honours are due to the memory of the late brigadier Wooster, who died on the 2d of May, of the wounds he received on the

the 27th day of April, in fighting againſt the enemies of American liberty:

The members choſen, Mr. Heyward, Mr. S. Adams, and Mr. Page.

The board of war brought in a report, which was taken into conſideration; whereupn,

Reſolved, That no ſtoppages be made for the preſent from the pay of ſoldiers who were ſervants, for any monies paid their late maſters; and that it lie over for future conſideration, whether ſuch monies be charged to continental account, or be borne by the particular ſtates wherein the ſervants were inliſted.

Reſolved, That Mr. Preſident M'Kinley be informed that the independent company ordered by Congreſs to be raiſed and ſtationed at Lewiſtown, and the places adjacent in the Delaware ſtate, was intended as a relief to the militia of that ſtate; and that Mr. Fiſher being thought a proper perſon to command, had the offer of being appointed the captain; but if he declined it for the ſake of expedition, power was given him to nominate officers, meaſures of a ſimilar nature having been repeatedly taken in other ſtates, eſpecially for particular and local purpoſes, and no offence meant to or taken by the governments of ſuch ſtates:

That the commiſſary general has been directed to appoint a perſon to ſupply the company with proviſions; and that orders are given to the captain to obey any directions he may receive from the government of the Delaware ſtate: that the preſident be informed, that the captain of the company is directed to apply to him for the 1500 dollars, agreeable to his requeſt; and that he be farther informed, Congreſs conſent that the encampment of the militia for the preſent be in the Delaware ſtate, at or near the place pointed out in his letter, below Cheſter; and that they be held in readineſs to march out of that ſtate, if the ſervice ſhall ſo require it; but that if no ſuch proviſion has been already made by law for that purpoſe, that it be recommended to the legiſlature immediately to make ſuch proviſion.

Reſolved, That the preſident be deſired to write to the legiſlatures of the ſtates of Pennſylvania and Maryland, recommending to them to make proviſion by law to march the militia out of their reſpective ſtates, when neceſſary for the common defence; and to authoriſe the executive powers from time to time to limit the continuance of the militia in ſervice when called out, and to what diſtance they may be ordered to march.

Reſolved, That Matthias Chriſtman, an indented ſervant of John Bringhurſt, inliſted in captain Lang's company, in colonel Hubley's regiment, be diſcharged by the commanding officer of the ſaid regiment; and that captain Lang be directed forthwith to repair with his company to head quarters.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reported:

"That

"That there is due to Chriſtopher Patterſon, who ſerved in colonel Wood's battalion of Pennſylvania forces, in Canada, 13.60 dollars, which ſum was due to him before the battalion was paid off at the end of their inliſtment, and would then have been paid him, but being ſick in the hoſpital his name was omitted in the muſter-roll:

To captain William Houſton of colonel Frederick Wall's battalion, flying camp, for 27 rifles and one drum loſt at Fort Waſhington, 376.42 dollars:

To lieutenant-colonel Reiſs, for the pay of the two following companies of Berks county militia, viz. Captain Farry's company, 683.8 dollars, captain Hettrick's company 535.4 dollars; the whole amounting to 1218.12 dollars."

Ordered, That the ſaid accounts be paid.

Reſolved, That there be put into the hands of the commiſſioners of claims, for the purpoſe of paying the priſoners who were taken at Fort Waſhington, the ſum of 1000 dollars; they to be accountable.

Ordered, That there be advanced to lieutenant Samuel Cobbs, of the 2d Virginia regiment, the ſum of 100 dollars, and charged to the account of Alexander Spotſwood, colonel of the ſaid regiment.

Congreſs reſumed the conſideration of the report of the board of war of the 16th; and after debate,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *May* 20, 1777.

A letter of this day from general Arnold, with a printed paper incloſed, ſigned John Brown; one from H. Williamſon; one of the 19th from doctor W. Shippen, director general; one from Joſeph Trumbull, commiſſary general; one of the 10th from Alexander Martin, colonel of the 2d battalion of North-Carolina forces, at Frederickſburgh; one of the 17th from J. M'Kinley, preſident of Delaware; alſo a memorial from John Cary, and a petition from Timothy Folger, were read.

The board of war laid before Congreſs a petition from George Lyne, major of the 12th Virginia regiment, wherein he prays that the rifles and powder-horns of captain Michael Bowyer's company of the ſaid regiment may be received by the commiſſary general of military ſtores, and that the men receive for them a reaſonable price, the ſaid company having been raiſed by the convention of the ſtate of Virginia for the defence of the frontiers, and not to be drawn from thence without their conſent, and each to receive for the uſe of his rifle 20s. per annum; but being taken into continental ſervice, and having agreed to march

with

with the regiment, fourteen of them have brought their own arms with them, not having had time or opportunity to diſpoſe of them before they began their march; whereupon,

Ordered, That the ſaid arms be received by the commiſſary general of military ſtores; that they be appraiſed, and the price thereof paid to the men; and that the difference between the appraiſement and what the ſaid arms coſt the men, be alſo paid them as a compenſation for the uſe of the arms.

Reſolved, That the quarter-maſter general be directed to procure a horſe, and preſent the ſame properly capariſoned, to major general Arnold, in the name of this Congreſs, as a token of their approbation of his gallant conduct in the action againſt the enemy in their late enterprize to Danbury, in which general Arnold had one horſe killed under him, and another wounded.

Ordered, That the letter from general Arnold, with the paper incloſed, be referred to the board of war, together with ſuch complaints as have been lodged againſt general Arnold:

That the letter from doctor Shippen be referred to the medical committee; and that doctor Williamſon's letter be diſmiſſed.

Reſolved, That the veſſels now laden on account of the United States, by Mr. Commiſſary Aylett, with flour for the eaſtern ſtates, excepting ſuch as are to be employed in tranſporting proviſions to the head of Elk, may ſail at ſuch time as Mr. Aylett ſhall think proper.

Ordered, That the petition of T. Folger be referred to the marine committee: that the petition from John Cary be referred to general Schuyler.

A letter of the 2d from J. Warren, ſpeaker of the houſe of repreſentatives of the ſtate of Maſſachuſetts-Bay; and one of the 7th from E. Hancock, deputy pay-maſter general in the eaſtern department, were read:

Ordered, That the former be referred to the board of war, and the latter to the board of treaſury.

Reſolved, That the ſum of five millions of dollars in bills on the credit of the United States, of the ſame tenor excepting the date, and of the ſame denomination as the laſt emiſſion, be forthwith emitted under the direction of the board of treaſury.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *May* 21, 1777.

General Schuyler laid before Congreſs the proceedings of a court martial held at Philadelphia the 19th and 20th inſtant, on the trial of John Brown, alias John Lee, ſigned by Stephen Moylan, preſident; wherein the court determine that the priſoner is guilty of conducting five men to Brunſwick;—of holding a traiterous correſpondence with the enemy, in offering himſelf as a pilot to general Howe to conduct the Britiſh army from Brunſwick

ſwick to Philadelphia;—and alſo in promiſing to diſcover to the enemy to what place the continental ſtores from Philadelphia were removed; and the court found the priſoner guilty of a breach of the nineteenth article of the thirteenth ſection, and were of opinion he ſhould ſuffer death; but from ſome circumſtances which appeared on his trial, the court think proper to recommend him to the general as an object of mercy.

Ordered, That the ſaid proceedings be referred to the board of war; and that they inquire into the circumſtances which induced the court to recommend the criminal as an object of mercy, and report to Congreſs.

Congreſs took into conſideration the letter from governor Johnſon, with the ſeveral papers incloſed; and after debate,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *May* 22, 1777.

A letter of the 11th, and one of the 14th, from general Gates, at Albany; one of the 16th from brigadier general M'Dougall, at Peek's-Kill; and one of the 13th from Governeur Morris, were read:

Ordered, That the laſt be referred to the marine committee.

Reſolved, That blank commiſſions be delivered to the delegates of Maryland, for the ſeven battalions of Maryland forces, to be by them filled up with the names of the officers, but without affixing any date, which is to be inſerted according to the orders of general Waſhington, who is to ſettle the rank of the ſeveral officers.

Congreſs reſumed the conſideration of the report of the board of war of the 16th; whereupon

Reſolved, That Albany, Ticonderoga, Fort Stanwix, and their dependencies, be hence forward conſidered as forming the northern department:

That Major-General Schuyler be directed forthwith to proceed to the northern department, and take the command there:

That the reſolution paſſed the 6th March, 1776, directing general Schuyler to eſtabliſh his head quarters at Albany, be repealed.

In conſequence of an adjuſtment by the commiſſioners for auditing accounts, the committee on the treaſury report:

"That there is due to David Grier, for his pay as major and lieutenant colonel, and for the pay of ſeveral officers of the 6th Pennſylvania regiment, between the 1ſt January and 20th March, 594.60 dollars; and for the repairs of arms and of a guard-houſe at York-Town, 32.41 dollars, amounting in the whole to 627.11 dollars:

To major Richard Campbell, of the 8th Virginia regiment, for sundry expences he paid while in Georgia and South-Carolina, 135.69 dollars; for sundry rations to sundry men at different times, 20.40 dollars; and for 30 cords of wood while in barracks at Winchester, 30 dollars; the whole amounting to 186.19 dollars:

To the following gentlemen of the Philadelphia light horse, who were ordered to New-Jersey on public service by Congress, agreeable to their respective accounts, and to be paid to Benjamin Randolph, viz. To Benjamin Randolph, 102.42 dollars; to John Lardner, 11.47 dollars, to Thomas Peters, 21.30 dollars, to James Hunter, 21.30 dollars, to John Dunlap, 21.30 dollars, and to Thomas Leiper, 21.30 dollars; the whole amounting to 199.29 dollars:

To George Weiss, for riding express to Esopus, Boston, &c. by direction of Congress, 186.60 dollars:

To lieutenant colonel Ramsay, for his own and captain Davison's expences to Virginia, by order of major general Schuyler, to hasten the march of the North-Carolina troops, 133.78 dollars.

Ordered, That the said accounts be paid.

Ordered, That 5000 dollars be advanced to John Knight, pay-master of the 7th battalion of continental troops, raised in Pennsylvania, towards the pay and subsistence of the said battalion.

Whereas from the representation of the deputy pay-master general in Virginia, it appears that there is in his hands a considerable sum of money which cannot be drawn out, there being no general officer in the state to draw warrants; and whereas the public service may be greatly retarded for want of the necessary supplies of money;

Resolved, That whenever it shall happen that there is no general officer resident in the state, the governor and council be authorised and empowered to draw warrants upon the deputy pay-master general in Virginia, for such sums of money as in their opinion may be requisite for the service of the United States.

The board of treasury brought in a report, which was taken into consideration; whereupon Congress came to the following resolutions:

Whereas Congress on the 20th instant resolved, that five millions of dollars of the same tenor, the dates excepted, and the same denominations as the last emission shall be emitted under direction of the treasury board;

Resolved therefore, that the said bills so to be emitted shall consist of the following denominations:

76923	bills of 30 dollars,	76924	bills of 5 dollars.
76923	do. of 8 do.	76923	do. of 4 do.
76923	do. of 7 do.	76923	do. of 3 do.
76923	do. of 6 do.	76923	do. of 2 do.

Resolved, That the present inspectors of the press be directed and authorised to perform that service for the present emission:

That

That before they enter upon their office they ſhall reſpectively take an oath or affirmation to be adminiſtered to them by any magiſtrate, "well and faithfully to execute the truſt repoſed in them as inſpectors of the preſs for the ſaid emiſſion, according to the beſt of their ſkill and judgment:"

That the gentlemen appointed to ſign and number the laſt emiſſion, be authoriſed to number and ſign the bills now agreed to be emitted, taking before they enter upon that office, an oath or affirmation to be adminiſtered as aforeſaid, "that they will well and truly ſign and number all the bills to be delivered to them by the inſpectors of the preſs appointed as aforeſaid; and the ſame ſo ſigned and numbered will deliver or cauſe to be delivered to the continental treaſurer, or ſuch perſon as he ſhall appoint to receive the ſame."

And for avoiding dangers from fire, robbery, or negligence:

Reſolved, That the inſpectors of the preſs ſhall not deliver to any claſs more than two parcels of two hundred ſheets each, to be in their hands at any one time.

Reſolved, That the plates uſed for the laſt emiſſion ſhall be uſed in the emiſſion now directed; and that the bills ſhall be expreſſed in the following words:

"THE UNITED STATES.

No. DOLLARS.

THIS bill entitles the bearer to receive Spaniſh milled dollars, or the value thereof in gold or ſilver, according to a reſolution of Congreſs, paſſed at Philadelphia, May 20, 1777;" and have ſuch ornaments, eſcutcheons, and ſecret marks as the board of treaſury ſhall direct.

That each of the ſaid bills ſhall be ſigned by two ſigners, and each different denomination numbered from number one progreſſively.

Reſolved, That if it ſhall be inconvenient to any of the inſpectors or ſigners to attend the ſervice required of them by theſe reſolutions, and they ſhall decline the ſame, the treaſurer ſhall be and he is hereby authoriſed to nominate other fit perſons in their ſtead, and to return their names to the treaſury board, and a certificate of their qualifications.

Reſolved, That it ſhall be the duty of the inſpectors faithfully to ſuperintend the emiſſion of the ſaid bills, carefully to keep the ſtamps and papers which have been or ſhall be delivered to them for the purpoſe of the ſaid emiſſion, not to permit any impreſſions to be made unleſs in their preſence; to cauſe ſo many bills and of ſuch denominations to be ſtruck as are hereby directed; to burn ſuch of the bills as ſhall be imperfectly printed, and deliver the reſt to the qualified ſigners, or to the treaſurer, as ſhall be directed by the treaſury board, or the treaſurer, taking receipts from the perſon to whom they ſhall be delivered: that having compleated the emiſſion, they ſhall carefully return the ſtamp and

the papers which may remain unused to the treasury board, or to such person as shall be authorised by them to receive the same.

That it shall be the duty of the signers faithfully to number and sign the bills, and hand them over to each other; the last signer to deliver them when signed to the treasurer, and to take his receipt for the same, which shall be delivered to the inspectors in exchange for the first receipts given by the respective signers for the unsigned bills to the same amount.

Resolved, That when the emission shall be compleated, the inspectors shall deliver to the treasurer the receipts given by him to the signers for the several parcels of signed bills which shall from time to time have come into his hands: and the treasurer shall then give to the inspectors duplicate receipts for the whole amount of the emission; one of which shall be kept by them for their own discharge, and the other be delivered to the treasury board as a voucher to charge the treasurer.

Resolved, That the inspectors of the said emission shall employ such person or persons as they shall think worthy of confidence to print the said bills, who shall before his or their entering upon the business, take an oath to be administered before any magistrate, in the presence of the said inspectors, or one of them, "well and faithfully to discharge the trust reposed in him or them concerning the said emission, according to the best of his or their skill and judgment;" a certificate of which qualification shall be transmitted to the board of treasury by the said inspectors.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

Resolved, That Louis Fleuri, engaged by our commissioners in France, be sent as a captain of engineers to general Washington; and that two months pay be advanced to him.

Resolved, That the farther consideration of the report be postponed.

A petition from William Lenox was read:

Ordered, To lie on the table.

A memorial from Joseph Trumbull, commissary-general, was read:

Ordered, That Mr. Wilson make inquiry and bring in a resolution respecting the same.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *May* 23, 1777.

A letter of the 21st from general Washington, at Morris Town; one of the 17th from John Lawrence, judge-advocate general; one of the 23d April from the committee of the convention of the state of New-York; and one of the 15th instant from John Morin Scott, were read:

Ordered, That they be referred to the board of war.

Resolved,

Resolved, That Messrs. Samuel and Daniel Hughes, who have entered into a contract for casting a quantity of cannon for the United States, be allowed for such cannon as they shall deliver after this time according to the contract, 22 2-3 dollars per ton, in addition to the sum mentioned in the contract.

Ordered, That 10,000 dollars be advanced to Messrs. Samuel and Daniel Hughes, on account, to enable them to fulfil their contract.

Ordered, That 400 dollars be advanced to colonel Gnndy, of the 7th battalion of Maryland forces, for the use of his battalion; he to be accountable:

That 10,000 dollars be advanced to Mr. Halliday, pay-master of Colonel Richardson's battalion of the Maryland forces, for the use of the said battalion; he to be accountable:

That 350 1-4 dollars be paid to Francis Lewis, esq; and charged to the account of Jonathan Trumbull, jun. esq; deputy pay-master general in the northern department, the same being for so much money received by the said deputy pay-master general from Mr. Klyne, by order of the said F. Lewis, esq; as appears by a certificate given by Mr. J. Trumbull, 10th May, 1777.

A letter of this day from colonel Stephen Moylan was read:

Ordered, That it be referred to the board of treasury.

The board of war reported, "That they have had a conference with major general Arnold concerning the imputations cast upon his character, contained in an hand-bill, dated Pittsfield, April 12, 1777, and subscribed John Brown, laid before Congress by the general in his letter to the president: that the general laid before the board a variety of original letters, orders, and other papers, which together with the general's account of his conduct confirmed by the relation of Mr. Carroll, one of the late commissioners in Canada, now a member of this board, have given entire satisfaction to this board concerning the general's character and conduct, so cruelly and groundlessly aspersed in the publication."

Resolved, That the said report stand confirmed.

The board of war brought in a farther report, which was read:

Resolved, That the consideration thereof be postponed.

The marine committee to whom the letters from general Mac Dougall and Governeur Morris, respecting the manning and fitting two gallies for the defence of the North River, were referred, reported: "That they have taken the said letters into consideration, and are of opinion,

That such gallies as may be necessary for the defence of the said river ought to be equipped, and their operations directed by the state of New-York; for they find this kind of defence is undertaken by all the other states where it is found necessary."

Resolved, That the delegates of the state of New-York be desired to inform the convention of that state, that the above report

of

of the marine committee is accepted and adopted as the ſenſe of Congreſs on this ſubject.

The marine committee to whom the petition of Timothy Folger was referred, reported: "That the matter on which the petitioners pray to be relieved, depends on the conſtruction of promulgated reſolutions of Congreſs, which make part of the code of the laws of maritime war; which laws ought to be conſtrued and applied by the courts of admiralty and commiſſioners of appeals in their judicial capacity, and not by Congreſs"

"That the caſe of the Sherburn having already received a judicial determination before the ſaid courts where the parties had an opportunity of availing themſelves of the full effects of the ſaid laws, it is improper for Congreſs to come to any reſolution relative thereto."

Reſolved, That Congreſs concur with the committee.

The committee of foreign applications brought in a report, which was taken into conſideration; whereupon

Reſolved, That Michael Fabricy be informed that Congreſs do not think it expedient to accept his offered ſervice.

Congreſs took into conſideration the report on the commiſſary's department; and after ſome debate thereon,

Reſolved, That the ſame be recommitted; and that Mr. R. Morris be added to the ſaid committee.

Reſolved, That a committee of three be appointed to confer with a committee of the houſe of repreſentatives for the ſtate of Pennſylvania reſpecting ſome complaints of the Indians:

The members choſen, Mr. Wilſon, Mr. Duane and Mr. Carroll.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

Saturday, met and adjourned to ten o'clock on Monday.

MONDAY, *May* 26, 1777.

A letter of this day from general Schuyler was read:

Ordered, That it be referred to the board of war.

An account from Robert Erwin was preſented to Congreſs:

Ordered, That it be referred to the board of treaſury.

Congreſs reſumed the report of the committee for foreign applications; whereupon

Reſolved, That Monſieur Mottin de la Balme receive a commiſſion of lieutenant colonel of horſe; and that his pay commence 20th January.

Reſolved, That Monſieur Coppin de la Garde be recommended to general Waſhington for ſome ſubaltern employment in the diviſion of general Sullivan, who has written in his favour to the board of war.

A memorial from Charles Pond, captain and commander of the armed ſloop Schuyler, was read:

Ordered, That it be referred to the marine committee.

Reſolved,

Resolved, That two members be added to the committee on foreign affairs:

The members chosen, Mr. Heyward and Mr. Lovell.

Ordered, That 20,000 dollars be advanced to the state of Georgia for the public service; the said state to be accountable.

A memorial from William Goddard, and one from B. Eyre, were read.

A memorial from Joseph Simpson was read:

Ordered, That it be referred to the marine committee.

A letter of the 28th April from James Stevenson, one of the commissioners for settling the accounts of the army to John Gibson, esq; auditor general, was laid before Congress and read:

Ordered, That it be referred to the board of treasury.

Ordered, That 40,000 dollars be advanced to Joseph Trumbull, esq; commissary general, by an order on the loan office in Massachusetts-Bay.

The committee to whom was recommitted the report on the commissary's department, having brought in another report, Congress took the same into consideration; and after some time spent thereon,

Resolved, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *May* 27, 1777.

A letter of the 24th from General Washington, at Morris-Town, with a copy of a letter inclosed from generals Green, M'Dougall, Knox, Wayne, and Clinton, dated Peek's-Kill, May 17th; also a letter of the 16th from W. Aylett, at Williamsburgh, were read.

Resolved, That General Washington be impowered and directed to give the command of the light horse to one of the generals already appointed.

Ordered, That the letter from general Washington, with that inclosed, be referred to the board of war; and that they send a copy of so much thereof as relates to cables to the marine committee:

That the letter from W. Aylett be referred to the commissary general.

The secret committee having reported to Congress the circumstances of the ship Mary, captain Kennedy, and her cargo:

Congress took the same into consideration; and thereupon:

Resolved, That the said committee make an advance of so much money to the owners of the said ship as may be unquestionably due to them; and that the said committee, in conjunction with the delegates of Connecticut, do finally settle all matters relative to the said ship, cargo and freight, in such way as justice and equity shall demand.

The

The committee on the treasury reported:

"That there is due to Benjamin Randolph, for eighteen boxes for packing paper for continental bills of credit sent to Baltimore, the sum of 38.12 dollars:

To colonel Robert Taylor, of the first battalion of Gloucester county militia, in the state of New-Jersey, for the mileage of the field officers, and part of three companies of the said battalion, 202.86 dollars:

To Samuel Fairlamb, upon a final settlement of his account for provisions, &c. supplied the troops at Chester and Marcus-Hook, 235.47 dollars:

Ordered, That the said sums be paid.

Ordered, That a warrant issue in favour of the board of war for 250,000 dollars, to be transmitted to the pay-master general:

That a warrant issue in favor of Ebenezer Hancock, esq. deputy pay-master general of the eastern department, on the loan office in Massachusetts-Bay, for 250,000 dollars; another on the loan office in the state of Connecticut, for 150,000 dollars, for the service of the United States; he to be accountable:

That a warrant issue in favour of the board of war for the state of Pennsylvania for 50,000 dollars, for the express purpose of recruiting the army of the United States; the said state to be accountable.

The committee on the treasury reported:

"That there is due to John Young, saddler, for sundry saddles, carbines, pistols, &c. he furnished the troop of captain Henry Lee, jun. in colonel Bland's regiment of Virginia light horse, 1116.45 dollars; the state of Virginia to be charged with the same sum:

That they have revised the accounts of James Warren, esq; late pay-master general, and find that in July last he rendered his account to Congress, by which there appeared to be due to the United States previous to the settlement, 28,216.70-72 dollars: that of this sum he had then in his hands but 26,320.67-72 dollars; that the residue by sundry affidavits transmitted to Congress appears to have been lost in consequence of his keeping an additional office at the request of the general for the convenience of the army, 1896.3-72 dollars: that on adjustment of his account in July last, an allowance was made for his pay from the 31st March, 1776, to the 4th May following, and for assistance in his office 494.41 dollars: that no allowance was made for the loss of money, and the balance being struck, there appeared to be due to the United States, 27,722.36-72 dollars: that he afterwards paid to the order of general Ward, all the money that remained in the chest, being 26,320.67-72 dollars, without making any deduction for the aforesaid grant of 494.41 dollars: that in March last Congress resolved to allow him the loss aforesaid, but that 1401.32-72 dollars being then mistaken

for

for 1896.53 72 dollars, he was deprived of the grant aforesaid made in July last, being 494.41 dollars, which is now due to him; and therefore that a warrant should issue on the loan office in the state of Massachusetts-Bay in favour of James Warren, esq. late pay-master general, for 494.41 dollars."

Ordered, That the said account be paid, and warrant issue accordingly.

Ordered, That 3765 1-2 dollars, be advanced to Jacob Moon, pay-master to the 14th battalion of Virginia forces, for the use of the said battalion; he to be accountable.

The board of war brought in a report, which was taken into consideration; whereupon,

Resolved, That Mr. Warren, speaker of the assembly of Massachusetts-Bay, be informed, that soldiers under the circumstances mentioned in his letter of the 2d instant, be allowed mileage as militia returning home: that Congress have allowed no compensation to any persons for losses they may have sustained by the enemy; and that it is recommended to the legislatures of the different states by the resolution of Congress of the 26th day of August, 1776, to make provision for the maintenance of disabled wounded soldiers belonging to their respective states, and to keep a regular account of the expence attending the same, that at a future day the continent may be discharged therewith:

That a lettter be written to Mr. President M Kinley, acquainting him that Congress are highly pleased with the spirit and alacrity of the militia of Delaware, as set forth in his excellency's letter, and depend upon their cheerfully turning out when it shall be necessary for the defence of their country, of which Congress will give them the earliest notice.

Resolved, That the general or commander in chief for the time being, shall have full power of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the rules and articles for the better government of the troops raised or to be raised and kept in pay by and at the expence of the United States of America; the fourth article resolved in Congress the 14th day of April last notwithstanding.

Resolved, That for the future there be only one chaplain allowed in each brigade of the army, and that such chaplain be appointed by Congress.

That each brigade chaplain be allowed the same pay, rations, and forage allowed to a colonel in the said corps:

That each brigadier general be requested to nominate and recommend to Congress a proper person for chaplain to his brigade; and that they recommend none but such as are clergymen of experience, and established public character for piety, virtue and learning.

Resolved, That henceforward no servant employed by any person or persons in casting cannon or shot for the use of the United States, or any of them, shall be inlisted into the continental army.

Resolved, That a copy of that part of general Schuyler's letter of the 26th instant, which relates to the raising one or more troops of light horse in the vicinity of Albany, be referred to general Washington.

Resolved, That captain Stevens, of the artillery, have a brevet of major; he having had that rank before his present appointment as a captain, and being a worthy good officer, as general Schuyler represents.

Resolved, That a copy of that paragraph of general Schuyler's letter which relates to the payment of the army by abstract, be referred to the board of treasury.

Resolved, That if general Gates, before general Schuyler's arrival at Albany, shall have appointed a deputy adjutant general, and deputy judge advocate for the northern army, the said appointments be confirmed; if not, that general Schuyler be impowered to make these appointments.

Resolved, That the committee for Indian affairs be directed to transmit to the commissioners of Indian affairs in the northern department, such Indian intelligence as shall be received, and copies of all treaties made with the Indians in the middle department.

Resolved, That general Schuyler be impowered to fill up the commissions for colonel Livingston's regiment, agreeable to the ranks the officers respectively hold in the said regiment.

Resolved, That the pay of the assistant deputy pay-masters general in the northern army, be raised to 45 dollars per month.

The committee appointed to confer with a committee of the assembly of Pennsylvania, concerning a complaint made by the Indians, report: "That they have conferred with the said committee, by whom they were informed, that a considerable number of the inhabitants of Pennsylvania have seated themselves upon lands belonging to the Indians, without their leave or any authority from the state; and that the Indians are very uneasy on the account of such intrusion:" whereupon,

Resolved, That the executive power, or legislature of Pennsylvania, ought to take proper measures to quiet the minds of the said Indians, by assuring them that they shall have full satisfaction, either by the removal of the intruders, or by allowing them an adequate consideration for the soil, at the option of the Indians.

Ordered, That a copy of the foregoing report and resolve be transmitted to the commissioners for Indian affairs in the northern department.

The committee on the treasury reported:

"That there is due to Thomas Dewit, for board of sundry prisoners in the goal of Baltimore, and for firewood, candles, &c. from the 19th December to 3d March, 333.39 dollars:

To

To the reverend Robert M'Murdie, for his ſervices as chaplain for one month and one day in colonel Watt's battalion of the flying camp, 34.40 dollars:

To George Graeff, to be paid to William Govet, for pay due to part of his company of colonel Cunningham's battalion of Lancaſter county flying camp, from the 10th December to 1ſt January, 114.82 dollars:

To captain Hand's company of colonel Lawrence's battalion of flying camp, for the balance of ſubſiſtence due on his pay-roll, 86.41 dollars:

To the reverend James Caldwell, for the ſervices of a company of light horſe of Eſſex county, in the ſtate of New-Jerſey, commanded by captain Jacob Wynans, their horſe hire and ex-expences, 4873.54 dollars."

Ordered, That the ſaid ſums be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *May* 28, 1777.

Ordered, That a warrant be drawn on the commiſſioner of the loan office for the ſtate of Pennſylvania, in favour of James Neilſon, or order, for the ſum of 15,233.54 dollars; the ſame being in full of a bill of exchange drawn by Levinus Clarkſon, and John Dorſius, on Robert Morris, eſq; dated at Charleſtown, South-Carolina, March 29th, 1777; and that the ſame be charged to the account of the ſecret committee.

Reſolved, That fifty blank commiſſions be ſent to the ſtate of Georgia, for filling up vacancies in the ſeveral battalions of foot, the regiment of rangers, and artillery companies in that ſtate kept up at the continental expence:

That blank commiſſions be delivered to the delegate of North-Carolina, for the officers of the continental battalions from that ſtate on their march to head quarters.

Ordered, That 3000 dollars be advanced to the delegate of North-Carolina for the uſe of that ſtate; which is to be accountable.

A letter of the 27th from Dr. B. Ruſh was read:

Ordered, That it be referred to the medical committee.

A memorial from David Forman and William Harriſon was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report from the committee on the commiſſary's department; and after ſome time ſpent thereon,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *May* 29, 1777.

A letter of the 28th from general Washington, at Morris-Town, with one inclosed from general Howe: a letter of this day from Joseph Trumbull, commissary general; and one of the 26th from John Lawrence, judge advocate general, were read:

Ordered, That the letter from general Washington, and that from John Lawrence, be referred to the board of war.

A petition from Thomas Boulten, Anthony Gilchrist, and John Jordan, prisoners, was presented to Congress, and read:

Ordered, That it be referred to the marine committee.

Resolved, That a committee of three be appointed to form an estimate of the number of teams which will be requisite to convey the necessary provisions for the use of the army under the command of general Washington, in such quantities that the said army may be well supplied; and that the commissary general lay before the said committee a particular state of all the magazines of provisions already laid up, specifying the quantity and the quality of the respective species of provisions in each magazine, and the places where such magazines are formed:

The members chosen, Mr. Duer, Mr. Middleton, and Mr. Burke.

Resolved, That a committee of three be appointed to confer with Mr. Trumbull on the subject of his letter to Congress, and general Washington's letter to him:

The members chosen, Mr. R. H. Lee, Mr. Clarke, and Mr. J. B. Smith.

Resolved, That no persons, horses, or carriages going to the army with provisions, and returning from thence, be pressed upon any pretence whatever.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That colonel Harrison's regiment of artillery be ordered from Virginia to head quarters, agreeably to general Washington's request.

Ordered, That the treasurer return to the board of treasury, certificates of the names and qualifications of the persons who are or shall be appointed inspectors or signers of the bills of credit directed to be emitted by a resolution of Congress, passed the 20th instant.

A petition from Abiather Rhoades was read:

Ordered, That it be referred to the board of war.

Mr. P. Livingston, Mr. Duane, and Mr. Duer, three of the delegates from the state of New-York, laid before Congress credentials of a new appointment made by their state, which are as follows:

"In convention of the representatives of the state of New-York, Kingston, May 13, 1777. Resolved, That five delegates be elected by ballot, to represent this state in Congress until the legislature

legiſlature of this ſtate ſhall at their firſt meeting make further proviſion: that three at leaſt of the ſaid delegates ſhall ſtatedly attend; and that any two or more of them ſo attending be a quorum, and enabled to repreſent and give the vote of this ſtate in Congreſs. The ballots of the ſeveral counties being taken and told, it appears that the honourable Philip Schuyler, Philip Livingſton, James Duane, William Duer, and Governeur Morris, eſquires, were duly elected to be the ſaid delegates. Thereupon reſolved, that the gentlemen above named be the preſent delegates of this ſtate at Congreſs; and that the ſaid delegates do from time to time give their attendance in Congreſs according to the orders of the council of ſafety of this ſtate. Reſolved, that the thanks of the repreſentatives of this ſtate in convention be given to Philip Livingſton, James Duane, John Jay, William Floyd, Henry Wiſner, Philip Schuyler, George Clinton, Lewis Morris, Francis Lewis, and Robert R. Livingſton, jun. eſquires, delegates of this ſtate in the honorable the continental Congreſs, for their long and faithful ſervices rendered to the colony of New-York, and to the ſaid ſtate. Extract from the minutes. Pierre Van Cortlandt, V. preſident. Atteſt. John M'Keſſon, ſecretary."

The committee appointed to prepare an addreſs to the inhabitants of the United States, reported a draught, which was read.

The committee appointed to confer with the commiſſary general, reported: "That they have had a conference with him, and received from him an account of the ſalted proviſions laid up in magazines for the ſupply of the army; that the reaſon of the preſent appearance of an immediate want, has ariſen from the ſtores laid up at Lebanon being removed to Carliſle, and thoſe in this city to Lancaſter, as it is ſaid by order of Congreſs, without leaving a ſufficient quantity for the preſent ſupply of the army; but that effectual meaſures are taking to remedy any inconveniencies ariſing from the meaſure:

That Mr. commiſſary propoſes to repair to head quarters without delay.

Ordered, That the commiſſary general inquire particularly into the removal of the proviſions from Lebanon, there having been only 40 barrels of beef and 40 barrels of pork ordered by Congreſs from that magazine to Carliſle.

Ordered, That 300 dollars be advanced to captain Charles Fleming, of the 7th Virginia battalion, for the uſe of the ſaid battalion.

Ordered, That 3700 dollars be advanced to major Holt Richardſon, for the uſe of the 15th battalion of Virginia forces, and charged to the account of the ſaid battalion.

Congreſs reſumed the conſideration of the report on the commiſſary's department; and after debate thereon,

Reſolved, That the further conſideration thereof be poſtponed till to-morrow.

The

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *May* 30, 1777.

A letter of the 29th from general Waſhington, at Middlebrook; one of the ſame date from Lewis Morris, aid de camp to general Sullivan, at Princeton; and one of the ſame date from governor Livingſton, at Haddenfield, were read:

Ordered, That a copy of the letter from Lewis Morris be ſent to the ſupreme executive council of the ſtate of Pennſylvania; and that the letter from governor Livingſton be referred to the board of war.

The committee on foreign applications brought in a report, which was taken into conſideration; whereupon

Reſolved, That blank commiſſions be ſent to general Waſhington, for the French officers lately arrived in the Amphitrite, to be filled up agreeable to a liſt to be forwarded to him by the committee; the rank of each claſs of the ſaid officers to be ſettled by the date of their commiſſions from the king of France.

Congreſs reſumed the conſideration of the report on the commiſſary's department; and ſeveral amendments being made,

Reſolved, That it be recommitted in order that it may be accommodated to the amendments made.

A letter of this day from Thomas Wharton, eſq; preſident of the ſupreme executive council of Pennſylvania, was read:

Ordered, That it be referred to the board of war.

Ordered, That a warrant be drawn on the treaſurer at Baltimore, for 25,000 dollars, in favour of colonel Moylan, for the uſe of his regiment; he to be accountable.

Ordered, That colonel Moylan lay before the board of war, a particular eſtimate of the expence of raiſing and equipping one troop of light horſe; and before the board of treaſury, an account of the expenditure of the money already advanced to him.

The committee on the treaſury reported:

"That there is due to George Gilbert, ſerjeant in captain Krumrun's company of lieutenant colonel Dean's battalion, who was taken priſoner the 17th September, and for mileage, 21.54 dollars:

To Chriſtian Wirtz, for rations he ſupplied ſundry battalions of militia at Lancaſter, on their march to the city, in December and January laſt, 386.72 dollars:

To captain Daniel Dorſey, of colonel Hall's regiment of Maryland forces, for the ſubſiſtance of his company, 930.64 dollars:

That there ſhould be advanced to Robert Jewell, in part payment of his account for the maintenance of ſtate priſoners in the new goal of this city, 1000 dollars:

That a warrant for 133.30 dollars ſhould be drawn on the treaſurer in favour of John Ommenſeller, for the payment of a light

waggon

waggon, which was preſſed at Baltimore laſt winter to bring money to this place, and not returned to him, it being employed in the ſervice of the ſtates, and now remains with the waggon maſter general in this city:

To the field officers and three others of the 2d battalion of Cheſter county militia, commanded by colonel Hockley, and to be paid to him for ſundry rations as per their account, 37.70 dollars:

To the five M'Donalds, who are priſoners at Reading, for their and their ſervants allowance, from 12th March to 4th June, 156 dollars."

Ordered, That the ſaid accounts and ſums be paid.

The board of war brought in a report, which was read:

Ordered, To lie on the table.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *May* 31, 1777.

William Ellery and Henry Marchant, eſquires, delegates from the ſtate of Rhode-Iſland and Providence Plantations, attended and produced the credentials of their appointment, which were read, and are as follows:

(L.S.) By the honorable Nicholas Cooke, eſq. governor, captain general, commander in chief of and over the ſtate of Rhode-Iſland, and Providence Plantations. To William Ellery, eſq. greeting: whereas by the free vote of the freemen of the ſaid ſtate on the firſt Wedneſday of May inſtant, you the ſaid William Ellery, was elected a delegate to repreſent the ſaid ſtate for one year in the general Congreſs of delegates from the thirteen United States of America, now ſitting in Philadelphia, or wherever the ſame may ſit:—I do therefore in the name of the governor and company of the ſaid ſtate, hereby authoriſe, empower and commiſſionate you the ſaid William Ellery, in conjunction with the other delegates that are or may be elected delegates of the ſaid ſtate, or ſeparately and alone, in caſe of the ſickneſs or neceſſary abſence of the other delegates of ſaid ſtate to repreſent the ſaid ſtate in the ſaid General Congreſs, and in behalf thereof to join with the delegates from the other ſtates, or the major part of them in all ſuch meaſures as ſhall be thought beſt for promoting the defence and welfare of the ſaid United States, agreeable to the inſtructions given, or that may be given you by the general aſſembly. Given under my hand and the ſeal of the ſaid ſtate, at Providence, this ſeventh day of May, in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven. Nicholas Cook. By his honour's command, Henry Ward, ſecretary."

The commiſſion to Henry Marchant was of the ſame tenor and date.

Congreſs

Congreſs reſumed the conſideration of the report on the commiſſary's department; and after ſome time ſpent thereon,

Reſolved, That the farther conſideration thereof be poſtponed to Monday next.

The ſeveral matters to this day referred being poſtponed, adourned to 10 o'clock on Monday.

MONDAY, *June* 2, 1777.

Nicholas Vandyke, eſquire, a delegate from the ſtate of Delaware, attended and took his ſeat.

Two letters of the 31ſt May from general Waſhington, at Middlebrook, with ſundry papers incloſed; one of the ſame date from general Sullivan, at Princeton, to general Arnold; one of the 24th of the ſame month from General Gates, at Albany, with ſundry papers incloſed; one of the 17th of May from general Heath, at Boſton, with the proceedings of a court martial on Peter Pickman Fry, a ſoldier; one of the 15th from Monſieur du Coudray,; and one of the ſame date from Jeremiah Powel, preſident of the council of Maſſachuſetts-Bay, with ſundry papers incloſed; alſo a memorial from Archibald Allen, and Ronald M'Donald, at Reading, were read:

Ordered, That the letter from J. Powell be referred to the marine committee; and that the other letters, with the papers incloſed, be referred to the board of war.

Ordered, That extracts of the intelligence received ſo far as it reſpects the enemy's deſigns againſt Philadelphia, be tranſmitted by the delegates of Pennſylvania and Delaware, to the executive power of their reſpective ſtates:

That the commanding officer at Philadelphia be directed to ſend a muſter maſter to muſter the militia at Briſtol, and make a return to Congreſs.

Congreſs reſumed the conſideration of the report on the commiſſary's department; and after ſome time ſpent thereon, and ſundry amendments made.

Reſolved, That the ſaid report be recommitted.

The committee on the treaſury reported:

"That there is due to Margaret Holmes, for forty-two meals ſupplied the militia, 4.18 dollars:

To William Shaw, for his account for thirty powder barrels cooperage, &c. 64.66 dollars:

Ordered, That the ſaid accounts be paid.

M. Burke, the delegate attending for North-Carolina, laid before Congreſs credentials of the appointment of delegates from that ſtate, which were read, as follows:

"State of North-Carolina. To Thomas Burke, John Penn, and Cornelius Harnett, eſquires, greeting: whereas the general aſſembly hath elected you delegates to attend the Congreſs of the United States: theſe are therefore to commiſſionate, authoriſe and

and impower you the said Thomas Burke, John Penn, and Cornelius Harnet, to attend the said Congress of the United States of America, in behalf of this state, until such time as the general assembly shall direct otherwise; and you are hereby invested with such powers as may make any act done by you, or any of you, or consent given in the said Congress in behalf of this state obligatory on every inhabitant thereof. Witness Richard Caswell, Esq; governor, captain-general, and commander in chief of the said state, under his hand and seal at arms, at Newbern, the 4th day of May, Anno Domini, 1777, and in the first year of the independence of this state. Richard Caswell. By his excellency's command, Js. Glasgow, secretary."

A memorial from Jacob Fauntz was read:

Ordered, That it be referred to the board of treasury.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That a letter be written to the council of Massachusetts-Bay, and to the governor and council of Virginia, acquainting them that Congress have received information that general Lee is treated by general Howe with kindness, generosity and tenderness, and desiring the former to treat colonel Campbell, and the latter to treat the five Hessian officers, with kindness, generosity and tenderness, consistent with the confinement and safe custody of their persons.

Ordered, That twenty copies of the volume of journals be delivered to the delegates of each state, for the use of their respective states; and that the remainder of the 700 which Congress have agreed to take, be lodged in the secretary's office, for the use of members.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *June* 3, 1777.

A letter of the 6th February last from Benjamin Franklin and Silas Deane, esquires, and one of the 27th November last from Silas Deane, esq; by Monsieur du Coudray, were read:

Ordered, That they be referred to the committee on foreign applications.

A memorial from Joseph Trumbull, esq; was read, setting forth,—"That he has paid many of the officers who served in Canada the last campaign, their extra rations and back allowances while in Canada, at the rate of one shilling lawful money; and from and after their return to Ticonderoga, to the 17th September, 1776, at the rate of seven-pence halfpenny, like money, per ration; and thought himself justified therein by the direction of Messrs. Clymer and Stockton, the committee for regulating the affairs in the northern department, when at Ticonderoga in

October laſt: that to his great ſurprize the commiſſioners of accounts in that department refuſed to allow the ſame in his accounts."

Congreſs taking the ſame into conſideration, and it appearing from a certificate of major general St. Clair, dated the 15th May, that the commiſſioners when at Ticonderoga in October laſt, ſettled the extra rations due to the officers in the following manner, viz. From the time they left Ticonderoga to go into Canada, until they returned to Crown-Point, at one ſhilling lawful money, per ration; from that time to the 17th September following, at ſeven pence halfpenny, like money; and afterwards at 8-90ths of a dollar per ration; and that the commiſſaries were ordered and did pay accordingly; thereupon

Reſolved, That the commiſſioners for ſettling accounts in the northern department, be directed to allow and paſs the commiſſary's accounts agreeable to the ſaid ſettlement.

Reſolved, That a committee of three be appointed to deviſe ways and means for ſupplying the United States with ſalt:

The members choſen, Mr. J. B. Smith, Mr. Marchant, and Mr. Froſt.

Congreſs reſumed the conſideration of the laſt article in the report from the board of war of the 23d May, reſpecting the rank of officers; and a new motion on that ſubject being made,

Reſolved, That the report with the motion be recommitted.

Reſolved, That a committee of three be appointed to deviſe ways and means of ſupplying the army with ſhoes, hats and ſhirts:

The members choſen, Mr. Sherman, Mr. Clark, and Mr. J. B. Smith.

Reſolved, That the board of war be directed to furniſh the ſupreme executive council of the ſtate of Pennſylvania, with ſuch arms as may be neceſſary for the uſe of ſuch of their militia as are now called into ſervice, and which cannot be otherwiſe ſupplied; and that it be ſtrongly recommended to the ſaid council to make uſe of the moſt effectual means that the arms ſo furniſhed may be returned to the commiſſary general of military ſtores, or to one of his deputies.

Reſolved, That a committee of three be appointed to confer with the board of war of the ſtate of Pennſylvania, and that they be empowered to employ ſome ſkilful perſons to view the works and defences erected at and near Billingport, and report their opinion, whether theſe works ought to be compleated or demoliſhed:

The members choſen, Mr. Duer, Mr. J. Adams, and Mr. Middleton.

The delegates of Pennſylvania laid before Congreſs a report of the committee of the whole houſe of aſſembly of Pennſylvania, with a reſolution of the houſe thereon, which were read:

Ordered,

Ordered, That the ſame be taken into conſideration on Thurſday next.

The committee to whom was recommitted the report on the commiſſary's department, brought in their report, which was taken into conſideration; and after ſome time ſpent thereon,

Reſolved, That the farther conſideration thereof be poſtponed.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *June* 4, 1777.

A letter of the 2d, and one of the 3d, from general Sullivan, at Princeton, were read; alſo a letter of the 14th April from J. Rutledge, preſident of the council of South-Carolina, adviſing "That colonel William Kennon, in conſequence of a ſettlement of his account againſt the continent, ſo far as it has been liquidated by him the ſaid J. Rutledge, in purſuance of the reſolve of Congreſs, has drawn ten bills of exchange, all of the date of this letter, from No. 27 to No. 36, both incluſive, for five hundred dollars each, on the continental treaſury, in favour of David Flowers." At the ſame time was preſented for payment, one of the ſaid bills, being the firſt of the ſet, No. 27; whereupon

Ordered, That the ſaid bill be paid.

The committee to whom was referred the memorial of the ſtate of North Carolina, of the 23d December laſt, together with the papers accompanying the ſame, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it be recommended to the ſtate of Maſſachuſetts Bay to order diligent enquiry to be made concerning the matter complained of in the ſaid memorial; and unleſs the maſter and owners of the privateer mentioned in the ſaid memorial can ſhew good and ſufficient cauſe to the contrary, to order full reſtitution to be made, and the offenders to be puniſhed for the violation of the rights of our fellow citizens, and of the laws of nations; and to report to Congreſs the proceedings which ſhall be had in the premiſes.

A letter of this day from general Mifflin was read, wherein he informs, that "ſince the laſt order of Congreſs for him to remain in Philadelphia, he has received a letter from general Waſhington, wherein the general expreſſes an anxious deſire to have the heads of the ſeveral departments in the field with him;" and therefore deſires the further orders of Congreſs, concluding, "If Congreſs have no intereſting buſineſs for him in Philadelphia, he would be glad to have an opportunity of joining the army, agreeable to the general's letter."

Reſolved, That general Mifflin have leave to repair immediately to head quarters.

Ordered, That the letters from general Sullivan be referred to the board of war.

In conſequence of an adjuſtment by the commiſſioners of accounts, the auditor general reports:

"That there is due to Adam Eichelberger, for victualling ſundry troops, and ferriage, 17.63 dollars:

To Frederick Curtis, for victualling ſundry troops, 3.42 dollars:

To Thomas Smith ſundry neceſſaries ſupplied the ſick troops of the 5th and 6th Virginia regiments at Wilmington, 181.89 dollars"

Ordered, That the ſaid ſums be paid.

Agreeable to the order of the day, Congreſs reſolved itſelf into a committee of the whole, to take into conſideration the ſtate of foreign affairs; and after ſome time ſpent thereon, the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the matter referred to them, but not having come to a concluſion deſire leave to ſit again.

Reſolved, That Congreſs to-morrow reſolve itſelf into a committee of the whole, to conſider farther the ſtate of foreign affairs.

Whereas general Howe has by offers of reward endeavoured to induce the ſoldiers of the United States to deſert and go over to him;

Reſolved, That general Waſhington be impowered to offer ſuch rewards as he ſhall judge proper to deſerters from the enemy, whether horſe or foot, encouraging them by ſuitable offers to bring with them their arms and horſes.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *June* 5, 1777.

A letter of the 2d from general Waſhington, at Middlebrook, incloſing a letter of the 30th May, from general Gates, at Albany, and one of the 27th of the ſame month from general Poor, at Ticonderoga.

Ordered, That the ſame be referred to the board of war.

The board of war brought in a report, which was taken into conſideration; whereupon,

Reſolved, That the clauſe in general Gates's letter relative to money, be referred to the board of treaſury:

That the ſtate of the military cheſt in the northern department, as tranſmitted by general Gates in his letter of the 24th of laſt month, be referred to the board of treaſury;

That Abraham Rhoads have a paſs to go to governor Trumbull, by the way of Eaſton and Suſſex court-houſe; and that it be left to governor Trumbull's diſcretion, whether or not the ſaid A. Rhoads ſhall be permitted to go to Long-Iſland, as he requeſts in his petition to Congreſs.

Reſolved, That the farther conſideration of the report be poſtponed.

Ordered,

Ordered, That R. H. Lee have leave of abſence, his health and private affairs requiring his return to Virginia.

Reſolved, That Mr. Sherman, Mr. Marchant, and Mr. Van-dyke, be added to the marine committee.

A letter of the 4th from brigadier general Conway, to the Pennſylvania board of war; alſo a memorial from J. Meaſe, were read:

Ordered, That they be referred to the board of war.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *June* 6, 1777.

A letter of the 3d and one of the 5th from general Waſhington, at Middlebrook, were read:

Ordered, That they be referred to the board of war.

Congreſs reſumed the conſideration of the report of the board of war of the 29th May laſt; whereupon

Reſolved, That Congreſs approve general Waſhington's conduct as to the cartel for the exchange of priſoners, and of the reaſoning contained in his letter of the 9th May, making no doubt of the facts upon which his arguments are founded being duly aſcertained; and that the general be informed it is the opinion of Congreſs that he ſtrictly adhere to the principles contained in ſaid letter.

Reſolved, That the deputy judge advocate in the northern army, and the deputy judge advocate of the diviſion of the army now at Peek's-Kill, be allowed the rank, pay, and rations of captains.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be requeſted to cauſe a return to be made of all regimental chaplains already appointed in the army, and tranſmit the ſame to Congreſs:

That a commiſſion be granted to Elias Boudinot, eſq; as commiſſary general of priſoners; the ſaid commiſſion to be dated the 15th day of May laſt, and Mr. Boudinot to be allowed the pay and rations of a colonel:

That Elias Boudinot, commiſſary general of priſoners, be impowered to appoint two deputy commiſſaries of priſoners; the ſaid deputies to be allowed the pay and rations of majors.

A petition from James Moſen, a ſoldier, was read:

Ordered, That it be referred to the board of war.

In conſequence of an adjuſtment by the commiſſioners of accounts, the auditor general reports:

"That there is due to Robert Patton, for his attendance on Congreſs as door-keeper, from 20th February to the 4th June, being 104 days, 138.60 dollars:

"To captain Kern's company of colonel Kachlein's battalion of the flying camp, for ſundry guns, blankets, pouches, and powder

powder horns, loſt on Long Iſland at Fort Waſhington, being the property of the ſoldiers, 613.87 dollars:

"To Chriſtian Wirtz, for his pay as commiſſary, and for his rations for one month and one day, 27.18 dollars, he having ſerved the militia on their march with proviſions at Lancaſter:

"To the field officers of the 4th battalion of Berks county militia, commanded by lieutenant colonel Conrad Shaeffer, for the balance of pay, 725.15 dollars, to be paid to lieutenant colonel C. Shaeffer:

"To captain John Patton, of colonel Potter's battalion of Lancaſter county militia, for the mileage of his company, and for a difference of pay to thoſe who were advanced from ſerjeants and privates to officers, ſerjeants, and corporals, 148.56 dollars."

Ordered, That the ſaid accounts be paid.

A petition from Nicholas George Moeballe, a captain in the ſervice of the ſeven United States of Holland, was read; praying Congreſs to grant him a commiſſion of lieutenant colonel in the ſervice of the United States, or if they do not think fit to grant that requeſt, then to grant him a certificate, ſetting forth, that he did apply and offer his ſervice, and that it was not owing to any fault or bad conduct in him that Congreſs did not think it expedient to employ him.

Ordered, That ſuch a certificate be granted to him.

A motion being made reſpecting priſoners:

Ordered, That it be referred to the board of war, who are directed to take under conſideration the whole matter of the exchange and treatment of priſoners, and report thereon with all convenient diſpatch.

Reſolved, That the ſecret committee and the marine committee be and they are hereby directed to lay before Congreſs, an account of their proceedings, and of the public money by them expended:

That the ſecret committee, without delay, order the agents by them employed in the different ſtates, to make up and lay their accounts before them; and that the ſaid agents lodge with the ſaid committee, vouchers for the expenditure of the public money intruſted to their care, diſtinguiſhing exactly what commodities have been ſhipped, with the bills of lading, and what remains on hand, with an account of the places where the ſame are ſtored; and that the ſaid committee lay the ſame before Congreſs:

That the marine committee, without delay, order the agents by them employed in the different ſtates, to make up and lay their accounts before them, and that the ſaid committee lay the ſame before Congreſs.

Reſolved, That any five members of the marine committee be impowered to form a board, and proceed to buſineſs.

Ordered,

Ordered, That the committee on departments proceed on the buſineſs committed to them, and report as ſoon as poſſible.

Ordered, That 8000 dollars be advanced to Littlebury Maſon, pay-maſter of the 15th battalion of Virginia forces, commanded by colonel D. Maſon, for the uſe of the ſaid battalion:

That a warrant for 200,000 dollars be drawn on John Gibſon, eſq; in favour of the board of war, to be by them tranſmitted to the deputy pay-maſter general, for the uſe of the northern army.

In conſequence of an adjuſtment by the commiſſioners of accounts, the auditor general reports:

"That there is due to Henry Wynkoop, eſq; for board and nurſing lieutenant Simon Wilmot, of the 16th regiment of queen's light dragoons, who was wounded and taken priſoner at Princeton, 3d January laſt, for nine weeks and two days, at two dollars a week, 20.51 dollars."

Ordered, That the ſaid account be paid.

The board of treaſury reported:

"That a warrant ſhould be drawn on Michael Hillegas, eſq; continental treaſurer, for 500,000 dollars, to be paid to John Gibſon, eſq; auditor general, for which he is to account:

"That Mr. Govett, the aſſiſtant auditor, hath exhibited his account to them againſt the United States, in which he charges his ſalary from 29th July to 14th December, 1776, four months and ſeventeen days, at 200l. per annum, amounting to 202.56 dollars, of which he hath received 200 dollars; and that there was due to him on the 14th December, 2.56 dollars: that he prays a farther allowance from that time, and the board are of opinion he ſhould receive three dollars a day, which to the 29th April laſt being 135 days, at three dollars a day, amounts to 405 dollars; the whole amounting to 407.56 dollars."

Ordered, That the ſaid warrant be drawn, and that the above balance of 407.56 dollars be paid to Mr. Govett.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *June* 7, 1777.

Ordered, That 400 dollars be paid to captain John Hunter, and charged to the account of W. Palfrey, eſq; pay-maſter general, the ſame being in full of a bill in his favour drawn by the ſaid W. Palfrey, dated at Morris-Town, 21ſt May, 1777.

A letter of the 13th May from W. Aylett, at Smithfield; one of this day from Archibald M'Donald; one of the 2d from Henry Fiſher and W. Perry, with a muſter roll of the independent company raiſed at Lewis, and a petition from George Hawk, keeper of a ferry on Delaware, oppoſite to Eaſton, were read:

Ordered, That the letter from A. M'Donald, be referred to the board of treaſury that the letter from H. Fiſher and W. Perry,

Perry, with the muſter roll, be referred to the board of war; and that the petition from George Hawk be referred to the quarter maſter general, who is directed to ſettle with the petitioner, or report particularly on his petition.

Ordered, That 1160 dollars be advanced to capt. James Lees, for the uſe of his company of artillery; he to be accountable:

That 14,160 dollars be advanced to colonel John Hawkins Stone, of the 1ſt battalion of Maryland forces, for the uſe of his battalion; he to be accountable.

The board of war brought in a report, which was taken into conſideration; whereupon,

Reſolved, That the clothier general furniſh each non-commiſſioned officer and ſoldier inliſted in the army of the United States, to ſerve three years, or during the war, with the articles of cloathing enumerated by a reſolution of Congreſs of the 8th October laſt, or other cloathing of equal value, notwithſtanding the ſame coſt more than twenty dollars.

Whereas complaint has been made that many of the regimental pay-maſters abſent themſelves from the army, by which the public ſervice greatly ſuffers:

Reſolved, That the commander in chief, and the commanders in the ſeparate departments be directed to take the moſt effectual means for compelling all regimental pay-maſters to attend punctually to the duties of their office, and that ſuch as are negligent be puniſhed and diſplaced; and that they be reſpectively impowered to appoint others of ability, diligence, and integrity, in the room of ſuch as are diſplaced.

Ordered, That 1000 dollars be advanced to captain John Steel, one of the four captains named by general Armſtrong, by authority of general Waſhington, for the uſe of his company; he to be accountable.

A petition from Jacob Green, and others, was read, praying a new hearing on the appeal brought againſt the judgment in the libel Job Pierce, againſt the brig Phœnix:

Ordered, That it be referred to the committee on appeals.

A petition from Charles Harriſon, and Peter Campbell, was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report on the commiſſary's department; and ſundry amendments being made,

Reſolved, That it be recommitted.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *June* 9, 1777.

A letter of the 5th from general Waſhington, at Middlebrook, incloſing a letter of the ſame date from brigadier general Knox; alſo one of the 8th from the ſame, and one of the 7th from Joſeph

Joſeph Reed, eſq; wherein he informs, that "the ſituation of his private affairs, which are much altered ſince his acquieſcence in general Waſhington's recommendation, the want of time to qualify himſelf for that line of ſervice, which he intended and has propoſed to him, and a diffidence of diſcharging it with approbation, oblige him to decline the appointment, which the Congreſs have been pleaſed to make of him as a brigadier general, for which honour done him he begs leave to expreſs his grateful acknowledgments." Alſo a letter of the 7th from governor Livingſton, with a return of the battalion raiſed in New-Jerſey, for the ſervice of the United States, were read:

Ordered, That the letters from general Waſhington, with the papers incloſed, and the letter from governor Livingſton, be referred to the board of war.

Reſolved, That Mr. Duer be added to the committee of intelligence.

An application from Richard Derby, jun. eſq; chairman of the committee of correſpondence, inſpection, and ſafety, at Salem, in Maſſachuſett's Bay, in behalf of Peter Pickman Frye, was read:

Ordered, That it be referred to the board of war.

A letter of the 6th from general Waſhington to R. Morris, eſq; incloſing one to Appolos Morris, was read; whereupon

Reſolved, That general Arnold be directed to put major Appolos Morris under immediate arreſt and confinement, until the further order of Congreſs.

Ordered, That the letter of the 6th from general Waſhington to R. Morris, eſq; with the letter incloſed, be referred to the board of war.

A petition from Francis Armſtrong was read, praying an order to the clerks of Meſſrs. Richard Dallam, Meaſe, and Caldwell, or any others who may have the books aſcertaining the ſums paid for the battalion commanded by colonel Potter, to give him the petitioner a duplicate of the ſaid account from the beginning:

Ordered, That the prayer of the petition be granted.

A letter of the 6th from governor Johnſon, incloſing a petition from George Handy, and others, and a proteſt from William Pool, was read:

Ordered, That it be referred to the marine committee.

A petition from Hughey Con was read:

Ordered, That it be referred to the board of treaſury.

Ordered, That a warrant for 50,000 dollars be drawn on the commiſſioners of the loan office for the ſtate of Pennſylvania in favour of Matthew Irvin, deputy commiſſary general, and charged to the account of Joſeph Trumbull, commiſſary general, who is to be accountable.

In conſequence of an adjuſtment by the commiſſioners of accounts, the auditor general reports:

"That there is due to Major Nicola, two months pay of six companies for the guard of this city, being for May and June, 7488.60 dollars:

"To John Byrn, late a soldier in captain Morgan's company of rifle men, for a rifle belonging to him which was lost at the attack on Quebec, 16.60 dollars:

"To James Leard, for half ferriage of seventy-two men over the Susquehannah, 2.36 dollars:

"To major Vaughan, captain Hazard, and others, their expences as officers of the guard to military stores, from Sinnepuxent to Philadelphia, 228.30 dollars.

"To Monsieur Lotbinier a Canadian chaplain, for his pay and rations from 10th March to 10th June, being three months, at 41.30 dollars a month, 124 dollars:

"To the commissioners of claims, for a pair of Venetian blinds, for the use of their office, 32 dollars:

"To Susannah M'Nut, for sundry meals supplied the militia on their march to camp, 3,45 dollars:

"To Seth Duncan, for do. 19.39 dollars:

"To Joseph Hutchinson, for do. 2.36 dollars."

Ordered, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *June* 10, 1777.

A letter of the 6th from Joseph Trumbull, commissary general, and one of this day from major general Arnold, were read:

Resolved, That general Arnold be and he is hereby directed to repair immediately to Trenton, and there conduct himself agreeably to the orders of the commander in chief.

Resolved, That it be earnestly recommended to the president and council of the state of Delaware, to give orders to the militia of that state to hold themselves in readiness to march at a moment's warning, and to take measures to call forth into actual service 1500 militia as soon as possible; and that they order the said militia to rendezvous at or near Wilmington, or Chester.

A petition from William Fields and Matthias Sappenfield, and another from Thomas Rutherford, and sixteen others, prisoners from North-Carolina, were read:

Ordered, That they be referred to the board of war.

A motion being made that the commissary general, and all other persons intrusted with public money, give bond and security for the faithful performance of their duty, and well and truly to account for the money that shall come into their hands respectively,

Resolved, That it be referred to a committee of three:

The members chosen, Mr. Gerry, Mr. Burke, and Mr. Marchant.

The

The committee to whom was recommitted the report on the commiſſary's department, brought in the ſame amended, which being read, was agreed to, as follows:

Reſolved, I. That for ſupplying the army of the United States with proviſions, one commiſſary general and four deputy commiſſaries general of purchaſes; and one commiſſary general and three deputy commiſſaries general of iſſues, be appointed by Congreſs.

II. That each of the ſaid commiſſaries and deputy commiſſaries be authoriſed to appoint for himſelf one clerk.

III. That the deputy commiſſaries general have authority to appoint as many aſſiſtant commiſſaries to act under them as may from time to time be neceſſary, and the ſame to diſplace at pleaſure, making returns thereof to the commiſſaries general reſpectively, who ſhall have full power to limit their numbers, to diſplace ſuch as they ſhall think diſqualified for the truſt, and direct their reſpective deputy commiſſaries general to appoint others in their ſtead: that ſpecial care be taken by the officers empowered as aforeſaid, to appoint none but perſons of probity, capacity, vigilance, and attachment to the United States, and the cauſe they are engaged in; and to make returns to the board of war, the commander in chief, and the commander of the reſpective department, of the aſſiſtant commiſſaries by them reſpectively appointed, their ſeveral places of abode, the time of their appointment and diſmiſſion, and the poſt, place, magazine or diſtrict to which they are ſeverally aſſigned; and that the deputy commiſſaries general of purchaſes and iſſues in the ſame diſtrict make ſimilar returns to each other.

IV. That the commiſſary general of purchaſes ſhall ſuperintend the deputy commiſſaries general of purchaſes, and aſſign to each a ſeparate diſtrict, who ſhall conſtantly reſide therein, and not make any purchaſes beyond the limits thereof; and every purchaſer employed therein ſhall alſo have a certain diſtrict aſſigned him by the reſpective deputy commiſſary general, in which he ſhall reſide, and beyond the limits of which he ſhall not be permitted to make any purchaſes, unleſs by ſpecial order of his ſuperior, directing the quantity and quality of proviſions ſo to be purchaſed beyond his limits, and informing ſuch purchaſer of the prices given by the ſtationed purchaſer in the diſtrict to which he may be ſent.

V. That the commiſſary general of purchaſes ſhall direct the deputy commiſſaries general in their reſpective diſtricts, to inform themſelves and aſſiſtants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchaſed, and that neither they nor any of the ſaid aſſiſtants employed under their direction, exceed ſuch prices, and if any deputy commiſſary general of purchaſes ſhall neglect his duty, or be guilty of any

fraud or miſconduct in his office, the commiſſary general may ſuſpend him, and ſhall immediately certify the ſame to Congreſs, with the reaſons for ſuch ſuſpenſion, and appoint a perſon to act in his ſtead, with all the powers of a deputy commiſſary general until the ſenſe of Congreſs ſhall be known thereon.

VI. That the preſent commiſſary general, by himſelf or his deputies, deliver unto the commiſſary general of iſſues, or his deputies or aſſiſtants, all and every kind of proviſions and other public ſtores in the commiſſary general's department, that now are, or at the time when ſuch delivery ſhall be made may be, in any of the poſts, places, magazines and ſtore houſes belonging to the United States, taking duplicate receipts for the ſame, one ſet whereof, together with a general return of all ſtores ſo delivered, to be ſent to the board of treaſury, that the commiſſary general of iſſues may be charged therewith.

VII. That it ſhall be the duty of the commiſſary general of purchaſes, with the aſſiſtance of the deputy commiſſaries general and aſſiſtant commiſſaries of purchaſes, to purchaſe all proviſions and other neceſſaries allowed, or which may hereafter be allowed by Congreſs to the troops of the United States, and deliver the ſame to the commiſſary general of iſſues, or his deputies or aſſiſtants, in ſuch quantities, and at ſuch places or magazines as the commander in chief, or the commander in the reſpective department ſhall direct.

VIII. That the commiſſary general of iſſues ſhall direct the reſpective deputy commiſſaries general to ſtation one of their aſſiſtants at every fort, poſt, place or magazine where proviſions are or may be ſtored.

IX. That the commiſſary general of purchaſes ſhall furniſh each of the deputy commiſſaries general and aſſiſtants with a book, in which is to be entered every purchaſe by them reſpectively made: and that all the accounts may be kept in the ſame form, he ſhall cauſe the pages of ſuch book to be divided into ten columns, in the firſt of which ſhall be entered the year, month and day in which any purchaſe is made; in the ſecond, the names of the perſons from whom; in the third, in what place; in the fourth, the ſpecies and quantity of proviſions, and if live ſtock, the number, colour and natural marks; in the fifth, the artificial marks and number; in the ſixth, the prices; in the ſeventh, the amount of the purchaſe money; in the eighth, ninth and tenth, the weight of the meat, hides and tallow of the live ſtock as hereafter directed: and the commiſſary general of iſſues ſhall furniſh each of the iſſuing deputy commiſſaries general and aſſiſtants with a ſimilar book, in which ſhall be entered all proviſions received by them from the purchaſers reſpectively, the firſt column to contain the time of receiving ſuch proviſion; the ſecond the name of the purchaſer; and in each of the other columns the entries before directed.

X. That

X. That each purchaſer ſhall enter, in different pages of the ſaid book, each ſpecies of proviſions by him purchaſed, and at the end of every month ſhall foot and transfer the ſaid entries to a general account, ſpecifying the quantity, amount and average coſt of each article, and ſhall alſo, in the courſe of the next ſucceeding month, ſend a copy of ſuch account to the reſpective deputy commiſſaries general, who ſhall thereupon make out a monthly return of all the proviſions purchaſed in his diſtrict, ſpecifying the quantity, amount and average coſt of each ſpecies, as before directed, together with a copy of each purchaſer's accounts, to the board of war and commiſſary general of purchaſes, within the time limited as aforeſaid.

XI. That the purchaſing commiſſaries ſhall deliver live ſtock and other proviſions required by the commiſſary or ſeveral deputy commiſſaries general of iſſues at ſuch place as they ſhall reſpectively direct.

XII. That the deputy commiſſary general of purchaſes in each diſtrict ſhall ſpecially appoint one or more aſſiſtants to purchaſe live ſtock, who ſhall cauſe to be branded on the horns of all cattle by them purchaſed, the number and initial letters of their names reſpectively; and ſhall alſo have power to employ drovers, and a perſon at each place, to which they may reſpectively be directed to ſend cattle, to receive, kill, and deliver the ſame as hereafter directed.

XIII. That each drove of live ſtock, or quantity of proviſions or other ſtores, that may be ſent to any poſt, place or magazine, by any purchaſer, ſhall be accompanied with duplicate invoices, taken from the entries directed to be made in the books of the purchaſing commiſſaries, one of which, together with the live ſtock or other ſtores, ſhall be delivered at ſuch poſt, place, or magazine, to the perſon appointed to receive live ſtock, or to the iſſuing commiſſaries reſpectively, who, on the other hand, ſhall give his receipt for the articles received, to be tranſmitted to the purchaſer by the perſon delivering the ſaid articles; provided that if any live ſtock, under the care of the drover, ſhall be wanted at any other poſt than that to which they were ordered, the purchaſer's deputy at ſuch poſt may detain them, taking a copy of the invoice, as far as it reſpects the live ſtock detained, and giving his receipt for the ſame on the back of the ſaid invoice, ſpecifying their marks and numbers, and the perſon, to whom the reſidue may be delivered, ſhall give his receipt therefor on the ſame invoice, and detain the other for his uſe as aforeſaid.

XIV. That each drove of live-ſtock ſhall be killed under the direction of the purchaſer's deputy receiving the ſame, who ſhall weigh and deliver the meat to the commiſſary of iſſues of the reſpective poſt, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the ſeveral creatures; in the ninth, the weight of the hide; in

in the tenth, the weight of the tallow; and at the foot of each invoice, the number of heads and tongues: and the commiſſary of iſſues ſhall indorſe his receipt on one of the invoices and deliver it to the deputy aforeſaid, who ſhall return it to the purchaſer as his voucher, and to enable him to fill up the eighth, ninth and tenth columns of the entries in his book; and the other ſhall be kept by the iſſuing commiſſary for his own uſe.

XV. That the commiſſary general of purchaſes ſhall contract by himſelf, or the reſpective deputy commiſſaries general, with one or more perſons in each diſtrict, to make or ſupply a ſufficient quantity of vinegar for the uſe of the army.

XVI. That the deputy commiſſaries general of purchaſes take ſpecial care to procure full ſupplies of vegetables, as being eſſentially neceſſary to the health of the army; and they are reſpectively empowered and directed, with the advice of the commander in chief, or commander of the reſpective diſtrict, to hire land therein, and raiſe ſuch quantities of vegetables as are wanted, and cannot be otherwiſe procured for the army; and for this purpoſe to employ ſuitable perſons to conduct, and labourers to aſſiſt in carrying on the ſaid buſineſs.

XVII. That the commiſſary general of purchaſes ſhall, from time to time, apply to Congreſs for all the money wanted in his department, and ſhall make the neceſſary advances to the reſpective deputy commiſſaries general, calling them to account as often as he ſhall judge it neceſſary; and the deputy commiſſaries general ſhall, in like manner, make advances of the money received of the ſaid commiſſary general to their reſpective aſſiſtants, and call them to account as aforeſaid.

XVIII. That the commiſſary and deputy commiſſaries general of purchaſes and iſſues, ſhall reſpectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchaſes and iſſues ſhall, once in ſix months, be ſettled by the reſpective commiſſaries general with the proper commiſſioners of accounts; each account of purchaſes to be vouched by the ſeveral bills and receipts of the venders, ſpecifying the coſt, and the receipts of the iſſuing commiſſaries ſhewing the delivery of all articles therein charged; and each account of iſſues by the victualling returns hereafter directed to be made, and receipts for all proviſions charged therein as rations, or ſent by the reſpective iſſuing commiſſary to any other. And the commiſſaries general ſhall produce the monthly returns of the ſeveral purchaſing and iſſuing commiſſaries, to be uſed by the commiſſioners in adjuſting their reſpective accounts.

XIX. That the commiſſaries general of purchaſes and iſſues, and their reſpective deputies, for neglect of duty, or other offences in their reſpective offices, ſhall be ſubject to military arreſt and trial by order of the commander in chief, or any general officer commanding a diviſion of the army, poſt or department, where

ſuch

such neglect of duty or offence may happen; and the respective assistants of the deputy commissaries general of purchases and issues, shall, for the same causes, be liable to military arrest as commissioned officers in the army, by any general officer, or any officer commanding at a detached post to which such assistants may be assigned.

XX. That the commissary general of issues shall superintend the respective deputy commissaries general, and assign to each a separate district; and have full powers to suspend them and appoint others for a time, as already appointed for the commissary general of purchases.

XXI. That every issuing commissary shall enter in distinct pages of the book mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other issuing commissaries or the present commissary general, and the same entries shall be made with respect to these, as therein are directed, when provisions are received from the purchasers; excepting that the prices and cost of articles delivered by the said commissaries may be omitted.

XXII. That every issuing commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment to which he may issue, or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns in the first of which shall be entered the time of delivery; in the second, the name of the officer, upon whose return provisions are issued, or by whom sent to any other issuing commissary; in the third, the number of rations, and in other separate columns the several quantities of each species of provisions delivered as rations, or sent to the commissaries as aforesaid. And on the last day of every month, he shall foot the said accounts, and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

XXIII. That every issuing commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer, or person employed to deliver the said provisions or stores; and the issuing commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the commissary that sent them as his voucher: And in cases of deficiency, the commissary who sent the provisions shall credit the commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall

alſo tranſmit a copy of the ſaid account to the pay-maſter or deputy pay-maſter general in the diſtrict, who ſhall ſend to the iſſuing commiſſary a receipt for ſuch account to be produced by him on ſettlement, and ſhall alſo deduct the amount thereof from the pay of the delinquent, and credit the United States therefor: provided that if any proviſions or ſtores ſhall be loſt by unavoidable accident, and the ſame is proved by ſworn evidences before the commanding officer of the poſt from or to which ſuch proviſions or ſtores were ſent, his certificate, with the proof annexed, ſhall authoriſe the commiſſary to cancel ſuch charge.

XXIV. That no proviſions be iſſued to any perſon but by the written order of the commander in chief, the commander of any department, the quarter-maſter general, any of his deputies or aſſiſtants, the commanding officer of a poſt, deſcribing the perſon in whoſe favour ſuch order ſhall be given; or upon a return ſigned by the commanding officer of a corps, or detachment thereof, whether commiſſioned or non-commiſſioned, or by the regimental quarter-maſter.

XXV. That when any troops are ordered to quit a poſt, and the iſſuing commiſſary remains at ſuch poſt, the reſpective commanding officers of the ſeveral regiments or corps, ſhall call on the iſſuing commiſſary for a certificate, ſpecifying the day to which they were victualled incluſively; and in caſe detachments of different regiments or corps are made, the commanding officer of ſuch detachments ſhall procure a certificate from the commiſſary, in which ſhall be inſerted the days to which the different troops of which his detachment may be compoſed were victualled, and the next and every ſubſequent proviſion return for ſuch detachment ſhall diſtinguiſh the corps out of which it is formed, and the number of each corps, to the end that the commiſſary may charge each corps with the proviſion iſſued to it; and if any commiſſary at any other poſt ſhall victual any corps or detachment comprehended in the foregoing deſcription before ſuch certificates are produced, he ſhall charge the officer commanding the ſame, with twenty days proviſion for the whole number of men under his care, and make return thereof to the pay-maſter general, or deputy pay-maſter general in the diſtrict, who ſhall make the proper ſtoppages, and alſo to the board of treaſury, who ſhall charge him therefor. Provided, That if ſuch certificates be procured and delivered within thirty days after the firſt drawing of ſuch proviſions without certificate, the commiſſary general ſhall cancel the charge, keeping the certificate as a voucher for ſo doing: Provided alſo, That notwithſtanding ſuch certificate may be produced, if it ſhall appear that the officer commanding any corps or detachment, has drawn more proviſion than the corps or detachment was entitled to, he ſhall ſtand charged the double quantity ſo over drawn.

XXVI. That

XXVI. That every iſſuing commiſſary ſhall take receipts for the number of rations, and for ſo much of every ſpecies of proviſions as he may iſſue.

XXVII. That every iſſuing commiſſary, on the laſt drawing day preceding the laſt drawing day of every month, ſhall victual the troops up to the laſt day of the month incluſive; and if proviſions ſhould be ordered for troops going on detachments, for ſuch time as would run beyond that day, two returns ſhall be made out, one to the laſt day of the month incluſive, and one from the firſt day of the month incluſive to the time ordered.

XXVIII. That every iſſuing commiſſary ſhall number the proviſion returns, and indorſe the ſame with the date thereof, and the number of men victualled, and put the returns of each detachment or corps on ſeparate files, each to contain the returns of a month for ſuch corps or detachment.

XXIX. That wherever any capital magazine ſhall be eſtabliſhed, the commander in chief or commanding officer of the department ſhall order ſtore-houſes to be built, and a barrack for fifty men, and the ſame to be incloſed with a ſtockade.

XXX. That whenever any of the proviſions or ſtores in any of the magazines become ſo damaged as to threaten a total loſs of all ſuch damaged proviſions, the commiſſary of iſſues, to whoſe care ſuch proviſions may be committed, ſhall make return thereof immediately to the deputy commiſſary general of iſſues, who is to apply to the commander in chief, or ſome general officer, to order a court of enquiry, who ſhall thereupon grant one, and ſuch proviſions as may by the court be condemned ſhall be ſold at public vendue, under the direction of the deputy commiſſarygeneral of iſſues public notice being giving of ſuch ſale, by adverti ſements at leaſt ten days before the day of ſale, unleſs the court ſhould determine that the ſame ought to be ſold at an earlier day.

XXXI. That every aſſiſtant commiſſary of iſſues ſhall, within ſix days after the laſt day of every month, make a return to the deputy commiſſary general of the diſtrict, of all proviſions and ſtores in his magazine or ſtore at the laſt preceding return; of all proviſions by him received in the preceding month; from whom and whence; of what he has iſſued, ſpecifying the regiment and corps, and the number of rations, and quantity of each ſpecies of proviſions drawn by the ſame; and of what remains in ſtore.

XXXII. That each deputy commiſſary general of iſſues ſhall, from the monthly returns of the aſſiſtant commiſſaries, make out a general return for the diſtrict, ſpecifying what remained in the magazines or ſtores at the laſt return; what has been received ſince; the number of rations and quantity of proviſions iſſued, and what remains in ſtore, diſtinguiſhing the ſeveral poſts, places, magazines, and regiments or corps as aforeſaid; one to be ſent to the board of war, one to the commander in chief, one to the

commander of the department, one to the commissary general of purchases, and one to the commissary general of issues.

XXXIII. That the commissary general of purchases and commissary general of issues, each in his own department, make a general monthly return to the board of war, the commander in chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts and returns, to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing commissaries to the commissary general of musters, or by him to the adjutant general, or by the adjutant general to the board of war, as directed in the regulations of the muster master general's department, passed by Congress the fourth day of April last.

XXXV. That the commissaries general and the respective officers under them, apply to the quarter master general or his respective officers, for waggons, teams and horses wanted in the several districts; and if at any time it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress, or the qurter master general aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the commissary general of purchases, quarter master, director, or clothier general, or the commissary general of military stores, shall previously apply to them or the principal officers under them respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several states to give their purchasers respectively similar directions.

XXXVII. That the commissary general of purchases, from time to time, provide sufficient quantities of salt, and deliver it to the commissary general of issues, or the respective officers under him who are directed to issue to the troops only such quantities, and in such manner as the commander in chief or commander of the respective district shall direct. And the commissary general of issues shall direct the respective deputy commissaries general to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores, and take the proper precautions with respect to all provisions therein deposited.

XXXVIII. And whereas great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively:

Resolved, That the parts of a ration be estimated as follows, viz. For the daily allowance of beef, pork or fish, four ninetieths of

of a dollar; of bread or flour, two ninetieths; of peaſe or beans, one ninetieth; of milk, one ninetieth; of beer, one ninetieth; of rice, one half of a ninetieth; and of ſoap, one half of a ninetieth; making in the whole ten ninetieths of a dollar for each ration: and that for the future, the quarter maſter or other perſon drawing proviſion for any regiment, corps or detachment, ſhall, on the laſt day of every month, make out an abſtract of the number of retained rations due to each officer reſpectively, and alſo the number of each part of a ration due to ſuch regiment, corps or detachment, and deliver the ſame to the reſpective iſſuing commiſſary, who ſhall compare it with his books, and finding it right, ſhall certify thereon that the ſeveral charges in the abſtract are juſt, and that ſuch a ſum as he ſhall find to be due ſhall be paid to the reſpective pay-maſter of the regiment, corps or detachment, who ſhall annex the ſaid abſtract to the pay roll, that the pay-maſter or deputy pay-maſter general of the diſtrict may pay, and he is hereby required to pay ſuch ration abſtract to the regimental pay-maſter, who is directed to pay the reſpective officers and ſoldiers, and take their receipts. And when any regiment, corps or detachment, or iſſuing commiſſary is ordered to leave a poſt before the end of the month, the ration abſtract, ſhall be made up to the day of his or their leaving the poſt, and certified by the commiſſary as aforeſaid.

XXXIX. That the commiſſary of iſſues at every poſt where cattle are killed for the uſe of the army, appoint a careful perſon to take charge of the hides and tallow, to ſee that the former are properly dried, and that the latter is properly rendered, and that both are diſpoſed of as the commiſſary general of iſſues, by order of Congreſs, ſhall direct.

XL. That the commiſſary and deputy commiſſaries general of purchaſes in each department, and every purchaſer employed under them, ſhall take the oath of fidelity to the United States, and the following oath or affirmation, viz.

I ——, do ſolemnly and ſincerely ſwear (or affirm) in the preſence of Almighty God, that I will not collude with any perſon or perſons whatever to inhance the price of proviſions, or any article of commerce which I ſhall at any time hereafter be directed to purchaſe for the uſe of the United States; and that I will endeavour, by every honeſt means in my power, to procure the articles which I may be directed to purchaſe at the moſt reaſonable rates; and that I will not charge the public with any advance on any purchaſes by me to be made, and that I will in all things conduct myſelf as becometh a faithful ſervant of the public.

XLI. That the commiſſary and the deputy commiſſary general of iſſues in each department, and every iſſuing commiſſary employed under them, ſhall take the ſaid oath of fidelity and the following oath or affirmation, viz.

I do ſwear (or affirm) that I will faithfully receive, take the care of, and iſſue the proviſions and other ſtores committed to my truſt, and

keep regular accounts and make regular returns, agreeable to the reſolutions of Congreſs, and oftner if thereunto required by any ſuperior officer having right to order returns; and that I will in all things honeſtly demean myſelf as a faithful ſervant of the public.

Ordered, That the committee conſider and report to-morrow, what compenſation ought to be made to the ſeveral officers in the commiſſary's department for their ſervices:

That to-morrow be aſſigned for appointing the officers in the commiſſary's department.

The committee on the treaſury reported:

"That a warrant ſhould iſſue on Joſeph Borden, eſq; commiſſioner of the loan office in the ſtate of New-Jerſey, in favour of John Gibſon, eſq; auditor-general for 69,100 dollars; the ſaid J. Gibſon to be accountable."

Ordered, That a warrant be drawn accordingly.

In conſequence of an adjuſtment by the commiſſioners of accounts, the auditor general reports:

"That there is due to captain Garland, and other officers, for their expences, being a ſecond diviſion as officers of a guard with military ſtores from Sinepuxent to Philadelphia, 120.51 dollars:

To lieutenant colonel Eleazer Oſwald, for his pay from the 1ſt September, 1775, to the 1ſt January, 1777; as alſo for two months extra pay for clothing allowed in Canada, 18 months, at 40 dollars a month, 720 dollars; and for 1825 rations, at 10.90ths of a dollar, 202.70 dollars, the whole amounting to 922.70 dollars.

Ordered, That the ſaid accounts be paid.

Ordered, That a warrant for 5000 dollars be drawn on John Gibſon, eſq; in favour of William Henderſon, pay-maſter of colonel Moylan's regiment of light horſe, for the uſe of the ſaid regiment; the pay-maſter to be accountable.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be directed to inform general Howe, that this Congreſs moſt ſincerely lament the neceſſity to which they are driven by the cruel policy of their enemies, of entering into any reſolutions which have any appearance of ſeverity towards thoſe priſoners of war who have fallen or may fall into our hands; but that there is no other means in our power of inducing our enemies to reſpect the rights of humanity; that with this view only it is their determined reſolution to carry into execution the law of retaliation: that if any perſons belonging to or employed in the ſervice of the United States, or any of them, who now are, or hereafter may be, priſoners to lord or general Howe, or any other commander of his Britannic majeſty's forces by ſea or land, ſhall be ſent to the realm of Great-Britain, or any part of the dominions of the ſaid king, to be there confined in common goals of great Britain, or any other place or places of confinement in purſuance of any act or acts of the Britiſh parliament,

or

or any other pretence whatever; it is the resolution of this Congress, to treat the prisoners now in our power, and such as hereafter may fall into our hands, in a manner as nearly similar as our circumstances will admit.

Ordered, That an extract of governor Caswell's letter of the 20th April, be transmitted to general Washington, with a recommendation, provided the general has not already appointed commanding officers to complete the sixteen additional battalions; that colonel Abraham Sheppard, of North Carolina, be appointed to the command of one of the said additional battalions.

Resolved, That general Washington be informed, that that clause of the resolution of the 30th May last, "the rank of each class of the said officers to be settled by the date of their commissions from the king of France," intended only their relative rank among one another; but that their commissions in the American army, be dated by general Washington, on the day when they shall be filled.

The committee appointed to confer with the Pennsylvania board of war, brought in a report:

Ordered, That it be taken into consideration to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *June* 11, 1777.

Congress took into consideration the report of the committee appointed to confer with the Pennsylvania board of war, &c. whereupon

Resolved, That governor Livingston be requested forwith to order out 500 of the militia of the state of New-Jersey, to assist in compleating the works now erecting at Billingsport, for the defence of the river Delaware; it being of the utmost consequence that the fortifications at that place be compleated without delay.

Resolved, That the report of the committee appointed by the Pennsylvania board of war, and the committee of Congress, to view the works erected for the defence of the river Delaware, together with the resoluion for calling out 500 of the New-Jersey militia, be communicated to the president and supreme executive council of the state of Pennsylvania; and that it be earnestly recommended to them, in conjunction with general Mifflin and Monsieur du Coudray, to carry into execution the most effectual measures for defending the river Delaware.

Resolved, That the continental navy board, or board of assistants to the marine committee, be impowered to direct the commanders of the several continental ships, gallies, and other armed vessels, now in the Delaware, to co-operate with the naval force of Pennsylvania in defending the several passes thereof, should the enemy make any attempt thereon.

Resolved,

Resolved, That the commanders of the said ships, gallies, and armed vessels, obey the orders and instructions of the said board; and that it be recommended to them to exert their utmost abilities in opposing the enemy's ships that may attempt passing up the said river.

Ordered, That 20,000 dollars be advanced to Benjamin Flower, commissary general of military stores, for the public service; he to be accountable:

That 5000 dollars be advanced to David Hall, colonel of the Delaware battalion, for the use thereof; he to be accountable.

Resolved, That the commissary general of purchases, shall keep his office in the place where Congress shall sit, and that he or his clerk constantly attend therein.

Ordered, That 1000 dollars be advanced to John Wilkins, one of the four captains nominated by general Armstrong, in pursuance of authority to him given by general Washington, for the use of his company; he to be accountable.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

"That there is due to Hugh Con, to be paid to John Benezet, esq; for boarding and nursing two sick soldiers, 22 dollars:"

"To Jacob Miller, for 118 meals supplied the troops on their march, 15.66 dollars."

Ordered, That the said accounts be paid.

The committee on the treasury, and committee appointed to devise ways and means for defraying the expence of the current year, brought in a report.

The committee on the treasury brought in another report.

The committee on the ways and means of procuring salt, brought in a report.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *June* 12, 1777.

Ordered, That 1000 dollars be advanced to lieutenant colonel John Nevil, for the use of the twelfth virginia regiment; he to be accountable.

Mr. Serjeant laid before Congress, a letter from Gunning Bedford, dated City Tavern, Wednesday, 1-2 after 8 o'clock, containing a challenge for words spoken by Mr. Sergeant in the course of debate in Congress together with his answer, and Mr. Bedford's reply, which were read:

Sundry resolutions being moved and debated, the decision thereof, at the request of a state, was postponed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY,

FRIDAY, *June* 13, 1777.

A letter of this day from general Arnold, and one of the same date from colonel G. Morgan, with sundry papers inclosed, were read:

Ordered, That the letter from colonel Morgan, with the papers inclosed, be referred to the committee on Indian affairs.

Ordered, That a warrant for 100,000 dollars, be drawn on Thomas Smith, Esq; commissioner of the loan office in the state of Pennsylvania, in favour of general Mifflin, quarter master general; for which he is to be accountable.

Congress resumed the consideration of the letters laid before them by the delegate of New-Jersey; whereupon

Resolved, That Congress have, and always had, authority to protect their members from insult for any thing by them said or done in Congress, in the exercise of their duty, which is a privilege essential to the freedom of debate, and to the faithful discharge of the great trust reposed in them by their constituents.

Resolved, That Mr. Gunning Bedford be served with a copy of the said letters, and that he be summoned to attend Congress to-morrow morning, to answer for his conduct.

Ordered, That 2600 dollars be advanced to general Arnold on account.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

"That there is due to Abraham Berlin, chairman of the committee of Northampton county, for the amount of his account of sundry supplies to the continental troops and militia, on their way to and from head quarters, in New-Jersey, 518.25 dollars; for the amount of his account of sundries supplied the Indians, by order of the commissioners, at the conference held at Easton, 1410.48 dollars; and for an allowance made him for his trouble, expence, and advancing the above sum, 96.39 dollars, amounting in the whole to 2025.22 dollars:

"To John Arnell, late a soldier, for his blanket, his property, lost in the engagement at Trenton, and to be paid to captain M'Dowell, 6.60 dollars."

Ordered, That the said accounts be paid.

Congress took into consideration the report of the committee on the ways and means of procuring salt; whereupon

Resolved, That it be recommended to the several states to offer such liberal encouragement to persons importing salt for the use of the said states, as they shall judge will be effectual:

That it be recommended to each state to employ one or more vessels for the importation of salt into their respective states, for their own more immediate benefit, and at the public charge of the said state:

That the agents for the United States in Europe and the West-Indies, be directed and enabled by the secret committee, to effect

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the importation of ſalt into theſe ſtates on account of the United States, by all veſſels bound to America, ſubject to ſuch regulations and reſtrictions as the ſecret committee may direct:

That it be an inſtruction to all maſters of veſſels taking on board cargoes for America, on account of the United States, if poſſible, to ballaſt the veſſels with ſalt, unleſs otherwiſe ſpecially ordered:

That it be recommended to the ſeveral ſtates to erect and encourage, in the moſt liberal and effectual manner, proper works for the making of ſalt.

A depoſition of Samſon Lutes, and one of Thomas Jordan, were read:

Ordered, That they be referred to the committee on Indian affairs.

Mr. Paca laid before Congreſs a letter from colonel Hall, of the Maryland forces, dated Rocky-Hill, June 11, which was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury reported:

"That by the terms of the treaty held at Johnſtown, the 18th January, 1776, between major general Schuyler, in behalf of the United States, and Sir John Johnſon, and the Scotch inhabitants of Tryon county, Archibald M'Donnel, Allan M'Donnel, Alexander M Donnel, Reynold M'Donnel, and Allan M'Donnel, jun. who ſurrendered themſelves priſoners of war, were encouraged to expect to be ſupported by the United States in the rank of gentlemen during their confinement, and the ordinary allowance to priſoners of two dollars a week being incompetent for that purpoſe, that there be allowed to the ſaid priſoners reſpectively, after the rate of 3.69 dollars per week, for their ſubſiſtence, from the time of their confinement; and the farther ſum of 73 1-3 dollars, for neceſſary expences incurred by them in their attendance upon Congreſs, by leave of general Schuyler, to ſolicit a farther allowance, the difference of ſubſiſtence and expence both amounting to 678.60 dollars

That they have taken into conſideration the memorial of Robert Erwin waggon maſter, referred to them by Congreſs, and are of opinion, that his account for pay, clerks wages, &c. &c. from 12th July, 1775, to the 19th May, 1777, is juſt and reaſonable, and that a warrant ſhould iſſue in his favour for the ſum of 1350 dollars, the amount of his account."

Reſolved, That Congreſs agree to the ſaid report.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *June* 14, 1777.

Ordered, That a warrant for 5000 dollars be drawn on the commiſſioner of the loan office in the ſtate of Rhode-Iſland, in favour of Mr. John Murray, aſſignee of David Flowers, and charged

charged to the account of colonel William Kennon, the ſame being in full of three bills, No 5, 7, 12, drawn by him agreeable to letters of advice from John Rutledge, Eſq; preſident of South Carolina, dated Charleſtown, 14th April, 1777:

That another warrant for 14,000 dollars be drawn on the ſaid commiſſioner, in favour of the ſaid J. Murray, and charged to the account of Joſeph Trumbull, eſq; commiſſary general, the ſame being in full of his draught in favor of the ſaid J. Murray, dated Middlebrook, 9th June, 1777, agreeable to his letter of advice of the ſaid date.

A letter of the 20th May, from Amos Throop, at Providence, was read:

Ordered, That it be referred to the marine committee.

Ordered, That 300 dollars be advanced to Captain John Steel, 450 dollars to captain Matthew Irwin, and 500 dollars to captain Samuel Kearſley, for the uſe of their reſpective independent companies; they reſpectively to be accountable.

Reſolved, That the marine committee be impowered to give ſuch directions reſpecting the continental ſhips of war in the river Delaware, as they think proper, in caſe the enemy ſucceed in their attempts on the ſaid river.

Reſolved, That the flag of the thirteen United States be thirteen ſtripes, alternate red and white: that the union be thirteen ſtars, white in a blue field, repreſenting a new conſtellation.

The council of Maſſachuſetts Bay having repreſented by letter to the preſident of Congreſs, that captain John Roach, ſome time ſince appointed to command the continental ſhip of war the Ranger, is a perſon of doubtful character, and ought not to be entruſted with ſuch a command; therefore,

Reſolved, That captain Roach be ſuſpended, until the navy board for the eaſtern department ſhall have enquired fully into his character, and report thereon to the marine committee.

Reſolved, That captain John Paul Jones be appointed to command the ſaid ſhip Ranger.

Reſolved, That William Whipple, eſq; member of Congreſs, and of the marine committee; John Langdon, eſq; continental agent; and the ſaid captain John Paul Jones, be authoriſed to appoint the lieutenant, and other commiſſioned and warrant officers neceſſary for the ſaid ſhip; and that blank commiſſions and warrants be ſent them, to be filled up with the names of the perſons they appoint, returns whereof to be made to the navy board in the eaſtern department.

Whereas the ſtate of New-York, long the ſeat of the preſent unprovoked war, and a principal object of the vengeance of our implacable enemies, hath been, among other calamities, for a conſiderable time deprived of her ſea ports, and of all the advantages and ſupplies of European and Weſt-India commodities, which other ſtates derive from commerce; and it being

repreſented that the inhabitants of the ſaid ſtate are more immediately diſtreſſed for want of ſalt, which, though a neceſſary article of life, they have no proſpect of procuring without the interpoſition of Congreſs; and it being the duty of Congreſs, as well as the reſpective United States, to alleviate as far as may be in their power the diſtreſſes brought down upon any branch of the confederacy, on account of its vigorous oppoſition to the common enemy, and its virtuous ſtruggles in the great and glorious cauſe in which all are equally engaged; and the inhabitants of the ſtate of New-York having perſevered amidſt the ſevereſt trials and loſſes with vigour and fortitude in the defence of the liberties of America:

Reſolved therefore, That it be recommended to the executive powers or legiſlatures of the reſpective ſtates, to encourage and facilitate the ſupplying the inhabitants of New-York, while they ſhall continue to be deprived of the benefit of importation, with ſalt and other European and Weſt-India commodities, of which they may ſtand in need.

Reſolved, That the ſecret committee be directed to ſell to the council of ſafety, or delegates of the ſtate of New York, a cargo of about 2000 buſhels of ſalt, imported by Congreſs, and now in ſtore at Plymouth, in the Maſſachuſetts Bay: and that the commiſſary general be directed, if it can be done without prejudice to the public intereſt, to exchange for the ſaid cargo of ſalt, an equal quantity nearer to the ſtate of New-York, that the diſtreſs of its inhabitants in that reſpect may be more immediately relieved.

In obedience to the ſummons with which Mr. Gunning Bedford was ſerved, he attended, and being called in, acknowledged that the copies of the letters with which he was ſerved, were true copies of the letters he wrote to and received from Mr. Sergeant, and having ſpoken in juſtification of his conduct, he was ordered to withdraw.

Reſolved, That Mr. Gunning Bedford has been guilty of a high breach of the privileges of this houſe, in ſending a challenge to one of its members for words ſpoken by him in this houſe, in the courſe of debate.

Ordered, That Mr. Gunning Bedford immediately attend at the bar of this houſe, and that the preſident inform him, that it is expected he will aſk pardon of the houſe, and of the member challenged.

Mr. Bedford being called in, the reſolution of Congreſs was read to him; and having aſked pardon of the houſe and of the member,

Ordered, That he be diſmiſſed.

Reſolved, That major general Arnold be authoriſed to take upon him the command of all the militia now at Briſtol, and on every other part of the river to the eaſtward of Philadelphia, wh[illegible]

which have been called forth into ſervice by a requiſition of the 24th day of April laſt; and that he be authoriſed to diſpoſe of himſelf, and the troops under his command, in ſuch a manner as he ſhall deem beſt adapted to promote the public ſervice.

Ordered, That a copy of the foregoing reſolution be ſent to the preſident and ſupreme executive council of the ſtate of Pennſylvania for their concurrence.

Ordered, That 1600 dollars be advanced to Jeremiah Butler, armorer, for the public ſervice; he to be accountable.

The committee on appeals, to whom was referred the petition from Jacob Green, and others, brought in a report; whereupon

Reſolved, That the prayer of the petition be granted, and a new hearing awarded on the appeal brought againſt the judgment of the court of admiralty in the libel "Job Pierce, againſt the brig Phœnix," unleſs the appellants can ſhew that notice was duly given of the appeal: that for this end the petitioner ſerve the appellant with a copy of this reſolve, and with notice of the time, when he ſhall make further application to the committee appointed by Congreſs to hear and determine appeals, for a new day to be aſſigned for the ſaid hearing.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *June* 16, 1777.

A letter of the 13th, 14th, and 15th, from general Waſhington, at Middlebrook, with copies of letters that paſſed between him and lord Cornwallis, and general Howe; one of the 8th and 9th from general Schuyler, at Albany, with ſundry papers incloſed; and a letter and memorial from Appolos Morris, were read:

Ordered, That the letters of general Waſhington, lord Cornwallis, and general Howe, be publiſhed:

That the letter from general Waſhington, and general Schuyler, with the papers incloſed, be referred to the board of war.

That the letter and memorial from Appolos Morris, be referred to a committee of three, and that they be directed to take into conſideration general Waſhington's letters, ſo far as they relate to the ſaid Mr. Morris.

The members choſen, Mr. R. Morris, Mr. Duer, and Mr. Sherman.

Ordered, That brigadier general de Haas repair immediately to general Waſhington's head quarters.

A letter from brigadier Conway, and a memorial from Monſieur de la Balme, were read:

Ordered, That they be referred to the committee on foreign applications.

The delegates of Virginia laid before Congreſs, a letter from governor Henry, which was read:

Ordered, That it be referred to the board of war.

A letter of this day from Thomas Wharton, preſident of the ſupreme executive council of Pennſylvania, was read:

Ordered, That it be referred to the board of treaſury.

A memorial from Mouſieur du Coudray was read:

Ordered, That it be referred to the committee on foreign applications, who are directed to confer with Monſieur du Coudray.

The committee appointed to conſider what compenſation ſhould be made to officers in the commiſſary's department, brought in a report; whereupon

Reſolved, That the pay and allowance to the commiſſaries general, deputy commiſſaries general, aſſiſtants, and perſons employed under them, be as follows, viz.

To the commiſſary general of purchaſes, eight dollars and ſix rations a day:

To the deputy commiſſaries general of purchaſes, each five dollars and four rations a day:

To the aſſiſtant commiſſaries of purchaſes, each four dollars per day:

To the commiſſary general of iſſues, 150 dollars a month and ſix rations a day:

To the deputy commiſſaries general of iſſues, each 75 dollars a month and four rations a day:

To the aſſiſtant commiſſaries of iſſues, each 40 dollars a month and two rations a day:

To the clerks of the commiſſaries general and deputy commiſſaries general, each 35 dollars a month and two rations a day:

To ſuch deputies as purchaſers of live ſtock are impowered to employ for receiving the ſame at the ſeveral poſts, each 27 dollars a month and two rations a day, whilſt in ſuch ſervice.

Reſolved, That the commiſſary general of purchaſes be impowered to regulate the pay of drovers and butchers, and tranſmit ſuch regulations to Congreſs:

That the commiſſary general of iſſues, in like manner, be impowered to regulate and tranſmit to Congreſs the pay of coopers, packers, and other perſons he may find neceſſary to be employed in ſuch kind of ſervices.

Reſolved, That Wedneſday next be aſſigned to conſider the report from the committee on the treaſury, and the committee appointed to deviſe ways and means for defraying the expence of the current year.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *June* 17, 1777.

A letter of the 8th May from brigadier general R. Howe, at Charleſtown, with the copy of the proceedings of a court martial; and

and one of the 13th April from J Rutledge, president of South-Carolina with sundry papers inclosed, were read:

Ordered, That the letter from brigadier general Howe be referred to the board of war: that the letter from J. Rutledge, esq; be referred to the board of treasury.

Ordered, That the sum of 31,590 dollars be passed in the treasury books to the credit of the state of South-Carolina, and charged to the account of William Kennon, the same being in full of a bill No. 1, drawn at Charlestown, April 14, 1777, by the said William Kennon, in favour of John Rutledge, esq; president of South-Carolina, for the use of the said state.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

"That there is due to colonel David Mason, of the 15th Virginia regiment, for a pair of button moulds which he procured for the use of the said regiment, 16.60 dollars."

The committee on the treasury also reported:

"That there should be advanced to Andrew Bryan, lieutenant in captain Nathaniel Mitchell's company, of colonel William Grayson's regiment, and charged to the said regiment, 800 dollars."

Ordered, That the said sums be paid.

A petition from Paul Hussey, late commander of the schooner Rosanna, in behalf of John Brown, owner of the said schooner, with her tackle, apparel, furniture and cargo, seized and taken as prize by the schooner Priscilla, commanded by Yelverton Fowkes, was read:

Ordered, That it be referred to the committee on appeals.

The committee appointed to consider what honors are due to the memory of general Wooster, brought in a report, which was taken into consideration; whereupon

Resolved, That a monument be erected to the memory of general Wooster, with the following inscription:

"In honor of David Wooster, brigadier general in the army of the United States. In defending the liberties of America, and bravely repelling an inroad of the British forces to Danbury, in Connecticut, he received a mortal wound on the 27th day of April, 1777, and died on the 2d day of May following. The Congress of the United States, as an acknowledgment of his merit and services, have caused this monument to be erected."

Resolved, That the executive power of the state of Connecticut be requested to carry the foregoing resolution into execution; and that 500 dollars be allowed for that purpose.

The board of war brought in a report, whereupon Congress came to the following resolutions:

Whereas James Mease, esq; clothier general, has by his memorial set forth, "That he is very much embarrassed and perplexed in the conducting of his department by the occasional interference of particular states, who frequently, by virtue of their

votes

votes or refolves, take and appropriate the public clothing and neceſſaries either imported or purchaſed on account of the continent, on its paſſage through their reſpective ſtates, which has occaſioned much diſappointment, and will, if not put a ſtop to, introduce the greateſt diſorder and confuſion in his department, and will render it impoſſible for him to cauſe an equal diſtribution amongſt the troops of theſe ſtates." Therefore,

Reſolved, That the ſeveral continental agents in the different ſtates, be directed to deliver out no clothing imported or purchaſed on account of the continent, but to the expreſs order of the clothier general, or his agents; and that they be directed to tranſmit to the clothier general, an account of all clothing that may be imported as expeditiouſly as poſſible after its arrival; and that a copy of this reſolution be ſent to the ſeveral ſtates.

Reſolved, That the petition of Charles Harriſon and Peter Campbell, priſoners from the ſtate of New-Jerſey, be referred to the governor and council of that ſtate.

Reſolved, That the commiſſary general of clothing be directed to ſupply the army with a ſufficient number of combs.

Reſolved, That Mr. Joſeph Nourſe be appointed deputy ſecretary to the board of war, with a ſalary of 700 dollars per annum, to commence from the 10th day of May laſt.

Reſolved, That colonel Hall, of the 4th Maryland regiment, be furniſhed out of the continental ſtore with as much clothing as the men of the late captain Yates's company want to ſupply their preſent neceſſities; the ſame to be deducted out of their pay, and for that purpoſe an account thereof to be rendered by the clothier general to the paymaſter of the ſaid regiment.

A letter from governor Johnſon, of Maryland, with ſundry accounts, relative to the militia of that ſtate, who were called into ſervice laſt winter, was read.

Ordered, That the ſame be referred to the board of treaſury.

Ordered, That a warrant for 50,000 dollars be drawn on the commiſſioner of the loan office in the ſtate of Maſſachuſetts Bay, in favour of James Meaſe, eſq; clothier general, or order, for the public ſervice, he to be accountable.

That a warrant for 100,000 dollars be drawn on the commiſſioner of the loan office for the ſtate of New-Hampſhire, in favor of the ſtate of New-Hampſhire, for the uſe thereof, the ſaid ſtate to be accountable:

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the battalion directed by the ſtate of North-Carolina, to be raiſed under the command of col. Abraham Sheppard, be admitted on the continental eſtabliſhment, and conſidered one of the ſixteen battalions, which general Waſhington was empowered to raiſe and commiſſion; the ſeveral ſtipulations and conditions by the ſaid ſtate provided, relative to the ſaid battalion

battalion being obſerved; and that the ſaid col Sheppard be ordered as ſoon as 300 rank and file ſhall be enliſted into his ſaid battalion, if within the time by the ſtate of North-Carolina ſtipulated, to join general Waſhington with all poſſible expedition, leaving proper officers to recruit:

That the appointment of Mr. Winſlow, by general Gates, as captain of artillery, be approved and confirmed by Congreſs:

That Congreſs approve of general Schuyler's annexing major Nicholſon's corps to col. Livingſton's regiment:

That the clothier general be directed to ſend 500 blankets to general Schuyler, as ſoon as the ſervice here will admit of it:

That the pay of a ſecretary to a brigadier general in a ſeparate command be 50 dollars a month, during ſuch command:

That the pay of the ſecretary to the commander in chief in the northern department be 60 dollars a month.

The committee on the treaſury to whom was referred the letter from the preſident of Pennſylvania, brought in a report; whereupon

Ordered, That there be advanced to the preſident and the ſupreme executive council of the ſtate of Pennſylvania, on their application for that purpoſe, 50,000 dollars, for which the ſaid ſtate is to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *June* 18, 1777.

A letter from Joſeph Thornburgh, waggon maſter general, dated camp at Middlebrook, June 16, and directed to general Mifflin, was read.

Ordered, That it be referred to the board of war.

Reſolved, That Joſeph Thornburgh, waggon-maſter general, have the rank of lieutenant colonel in the army of the United States.

A petition from Elijah Clark, Richard Weſcot, and others, was read:

Ordered, That it be referred to the marine committee.

A memorial from Henry Haller was read:

Ordered, That it be referred to the board of treaſury.

The board of war brought in a report, which was read; whereupon

Reſolved, That as ſeveral mitigating circumſtances appear in favor of Thomas M'Cann, condemned by a general court martial held at Charleſtown, South-Carolina, to be ſhot for deſertion, general Howe, commanding the continental forces in South-Carolina, be impowered to grant a free pardon to the criminal, if he ſhall think ſuch a ſtep conducive to the good of the ſervice and the public welfare, or order execution, if he think proper:

That

That a general officer commanding in a ſeparate department be impowered to grant pardons to, or order execution of perſons condemned to ſuffer death by general courts-martial, without being obliged to report the matter to Congreſs or the commander in chief.

Reſolved, That the petition of Thomas Rutherford, and the other priſoners from North-Carolina, now on parole at Fredericktown, be referred to the governor and council of the ſtate of Maryland, who are requeſted to allow them ſuch limits and give ſuch orders concerning their ſupport and government as they ſhall think proper agreeable to the reſolution of Congreſs, during their continuance in that ſtate.

Congreſs proceeded to the election of commiſſaries and deputy commiſſaries general of purchaſes and iſſues; the nomination having been previouſly made, and the ballots being taken, the following gentlemen were elected, viz.

Joſeph Trumbull, eſq; commiſſary general of purchaſes; William Aylett, William Buchanan, Jacob Cuyler, and Jeremiah Wadſworth, eſqrs; deputy commiſſaries general of purchaſes.

Charles Stewart, eſq; commiſſary general of iſſues.

William Green Mumford, Matthew Irwine, and Eliſha Avery, eſqrs, deputy commiſſaries general of iſſues.

A letter of the 1ſt, from Thomas Chaſe, deputy quarter-maſter at Boſton, to general Mifflin, was laid before Congreſs and read.

Ordered, That it be referred to the board of treaſury, and that they confer with general Mifflin, and report ſuch regulations reſpecting purchaſes in the quarter-maſter's department as they think proper; that they alſo confer with the clothier general, and ſuch other perſons as are employed in making purchaſes for the continent, and report thereon.

The committee on Indian affairs, to whom were referred the letters and papers from col. Morgan, brought in a report, which was taken into conſideration; whereupon

Reſolved, That the treaty propoſed by col Morgan, be held at fort Pitt:

That the commiſſary general be directed to ſupply col. George Morgan with five hundred buſhels of ſalt, to be forwarded to fort Pitt, for curing the proviſions directed by Congreſs to be ſtored there:

That the letter from col. Morgan and the ſeveral papers incloſed therein be referred to the board of treaſury.

The committee on the treaſury reported;

"That there ſhould be advanced to enſign Reynal Hillery, of the fourth company of the firſt battalion of Maryland continental forces, commanded by col. John Hawkins Stone, to be paid to William Paca, eſq; and charged to the ſaid battalion, 30 dollars."

In

In consequence of an adjustment by the commissioners of accounts, the auditor general reports;

"That there is due to Robert Jewel, for his account of subsistence of prisoners in the new gaol, his and his two assistants allowance, pump mending, wood, candles, &c. from the 11th April to June 6th, 1338.58 dollars:

To Christian Farrer, for ferriage of troops over Susquehannah, 16.39 dollars:

To capt. James Scott, of the Virginia militia, a balance of his account for pay and subsistence of his company 179 dollars, to be paid to Mr. Kimber Barton:

To Michael Mearing, for 89 meals, he supplied the troops on their march to head quarters, 11.78 dollars:

To Margaret Massey, for sundries she supplied two sick men in the hospital, 22 dollars:

To Casper Snevely, and to be paid to Philip Marsteller, for the pay of three men of his company, who were not included in the pay roll formerly settled, 38 dollars:

To John Groth for a rifle, lost at fort Washington, 16 dollars, to be paid to Philip Marsteller:

To Adam Orth, and to be paid to Philip Marsteller, for 85 meals supplied the militia on their march, 8.45 dollars:

To Stephen Paschall, for superintending the printing and rolling press, 52 dollars."

Ordered, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *June* 19, 1777.

A letter of the 18th from general Arnold, at Coryell's ferry, inclosing a letter from general Washington, was read.

A petition from Josiah Hewes, in behalf of Mr. Nicholas Brown, merchant, of Providence, owner of the sloop Lydia, was read; setting forth, that the said sloop was taken by a British man of war, and afterwards taken up adrift by capt. John Baldwin, in the schooner Wasp, and carried into Chingoteague inlet, where she was condemned and sold before it came to the knowledge of Mr. Brown; and therefore praying "That right and justice may be done to the owner, and a proportion of the value of the said vessel and cargo delivered to him."

Ordered, That the said petition be referred to the marine committee; and that they enquire into the facts and do therein what they judge right; that in case the facts set forth are found true, they be instructed to relinquish to the owner such share of the money arising from the sale of the said vessel and cargo as hath been adjudged to the continent.

A petition from Simeon Gore was read.

Ordered, That it be referred to the executive power of Pennsylvania.

Resolved, That the report from the committee of the treasury, and the committee appointed to devise ways for defraying the expences of the current year, be referred to a committee of the whole Congress.

Congress then resolved itself into a committee of the whole, to take into consideration the reports referred to them; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had the same under consideration, but not having had time to go through, desired leave to sit again;

Resolved, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the reports of the committee on the treasury and the committee of ways and means.

The committee on the treasury, to whom was referred the letter from colonel Thomas Chase, deputy quarter-master general, reported, "That they have conferred with general Mifflin thereupon, and that the general informs the committee, that the army still continues to be in want of tents, and that all he has a prospect of purchasing to the eastward will not be more than sufficient for the service; and therefore they are of opinion, that a warrant should be drawn on the commissioner of the loan office, in the state of Massachusetts-Bay, in favor of col. Thomas Chase, deputy quarter-master general, for 50,000 dollars, to be charged to general Mifflin, quarter-master general: and for which he is to be accountable.

They farther report, That there should be advanced to capt. Jonathan Langdon, of the 12th Virginia regiment, commanded by col. James Wood, 100 dollars, to be charged to the said regiment, and accounted for with the paymaster general."

Ordered, That warrants be drawn accordingly.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *June* 20, 1777.

Two letters of the 18th from Joseph Trumbull, esq; commissary general, and one of the 11th from col. Spotswood, were read.

Ordered, That the letters from Mr. Trumbull be referred to the board of treasury, and the letter from col. Spotswood to the board of war.

The delegates from Pennsylvania laid before Congress sundry resolutions, passed in the general assembly of the said state; which were read as follows:

"In general assembly, for the state of Pennsylvania, Tuesday 10th June, 1777. The house resumed the consideration of the report of the committee, respecting the assignment of the troops of this state to the Congress; and it was thereupon *Resolved*, That

That this houſe do heartily concur with his excellency the preſident and council, that it will be expedient to transfer to the honorable the continental Congreſs the Pennſylvania ſtate regiment, commanded by col. Bull, the regiment of artillery, commanded by col. Proctor, and capt. Pugh's company, raiſed for the purpoſe of guarding the powder mills. That his excellency the preſident and council be, and they are hereby authoriſed and impowered, to negociate and ſettle the ſaid transfer or aſſignment with the Congreſs, on ſuch terms and conditions as to them ſhall ſeem moſt proper, ſo as to have the ſaid troops credited to the quota of men to be furniſhed by this ſtate; and alſo that it be recommended to them to procure capt. Weaver's company, raiſed at Lancaſter, for the uſe of the United States, to be placed to the credit of the ſame account.

Extract from the minutes, John Morris, jun. clerk of Aſſembly."

"In council, Wedneſday, June 18, 1777. The foregoing reſolve of the general aſſembly being laid before the council; thereupon, *Ordered*, That a copy of the ſaid reſolve be delivered to the delegates of this ſtate in Congreſs, and that they be requeſted to tranſact this buſineſs with Congreſs, in the way they ſhall think moſt proper. Extract from the minutes. T. Matlack, ſecretary."

Ordered, That the ſame be referred to the board of war, and the delegates from Pennſylvania.

A letter of the 19th, from T. Wharton, preſident of the ſtate of Pennſylvania, was read, wherein "agreeable to a reſolution of the general aſſembly of the ſaid ſtate, paſſed the 19th; and at the requeſt of the council, he requeſts Congreſs to lend to the ſtate of Pennſylvania the additional ſum of fifty thouſand dollars, to be repaid in a very ſhort time." Whereupon,

Reſolved, That 50,000 dollars be advanced to the ſtate of Pennſylvania; the ſaid ſtate to be accountable.

The board of war report; "That they have taken into conſideration the caſe of Peter Pickman Frye, a ſoldier in the Maſſachuſett's regiment, now under ſentence of death for deſerting, with an intention to go over to the enemy, and have peruſed and conſidered a certificate of the committee of correſpondence, inſpection and ſafety, at Salem, in the ſaid ſtate, wherein the ſaid committee ſet forth, "That the ſaid Frye is a perſon, who they think from their knowledge of him, is not poſſeſſed of a common ſhare of underſtanding, and that he is really incapable of committing a crime, maliciouſly and with deſign, deſerving ſo ſevere a puniſhment as that to which he is now ſentenced," and that therefore they are of opinion, That however baſe the crime of deſertion may be, and more eſpecially when blackened by an intention to aſſiſt our inveterate and cruel enemies; yet if it be true, that the perſon now condemned for the commiſſion of this

crime is in the ſtate of idiocy or inſanity, the articles of war, in this caſe made, can have no operation as to him." Whereupon

Reſolved, That general Heath be directed to enquire into the fact ſet forth by the committee, who no doubt, certify the matter as it appears to them, and if he ſhall find the culprit of unſound mind, or incapable from natural defect of underſtanding to judge of what is right or wrong, that a free pardon be granted him for this reaſon only, and by no means on account of friends or connexions, who ſhould never be conſidered when public juſtice demands vicious men to ſuffer. Congreſs conſider ſimple deſertion as a crime the moſt atrocious and deteſtable, but when coupled with an intention to deſert to the enemy, the offence becomes doubly heinous and wicked, the perſon committing it being guilty of both perjury and treaſon; therefore that it be recommended to general Heath, to be cautious in his enquiries into the circumſtances of the preſent caſe, and if he be not fully ſatisfied, as to the ſaid Peter Pickman Frye's incapacity, that he be impowered and directed to order immediate execution.

Reſolved, That the petition of William Fields, and Matthias Sapenfield, and of John Smith, and James M'Donald be referred to the government of North-Carolina, who are requeſted to take ſuch meaſures therein as they ſhall think proper.

Congreſs took into conſideration the report of the board of war of the 21ſt of April laſt; whereupon

Reſolved, That a corps of invalids be formed, conſiſting of eight companies, each company to have one captain, two lieutenants, two enſigns, five ſerjeants, ſix corporals, two drummers, two fifers, and one hundred men. This corps to be employed in garriſon, and for guards in cities and other places, where magazines or arſenals, or hoſpitals are placed; as alſo to ſerve as a military ſchool for young gentlemen, previous to their being appointed to marching regiments; for which purpoſe, all the ſubaltern officers, when off duty, ſhall be obliged to attend a mathematical ſchool, appointed for the purpoſe, to learn geometry, arithmetic, vulgar and decimal fractions, and the extraction of roots; and that the officers of this corps ſhall be obliged to contribute one day's pay in every month, and ſtoppages ſhall be made of it accordingly, for the purpoſe of purchaſing a regimental library of the moſt approved authors on tactics and the petite guerre: That ſome officers from this corps be conſtantly employed in the recruiting ſervice in the neighbourhood of the places they ſhall be ſtationed in; that all recruits ſo raiſed, ſhall be brought into the corps and drilled, and afterwards draughted into other regiments as occaſion ſhall require.

Congreſs proceeded to the election of a colonel of the ſaid corps of invalids; and the ballots being taken,

Lewis Nicola, eſq; was elected.

Ordered,

Ordered, That the board of war report a plan, for carrying into execution the foregoing reſolve.

The committee of appeals, to whom was referred the petition of captain Paul Huſſey, brought in a report; whereupon

Reſolved, That captain Yelverton Foukes, commander of the privateer Priſcilla, appear before the committee of appeals within forty days after this reſolve, and that a copy of this reſolve, together with a copy of the ſaid petition and of the affidavit accompanying it, ſhall be ſerved upon the ſaid Yelverton Foukes, his agent, or ſome one of the owners of the ſaid privateer Priſcilla, to ſhew cauſe why the prayer of the ſaid petition ſhould not be granted.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports;

"That there is due to col. Lindenmuth, late major of col. Gehr's battalion of Berks county militia, but now colonel thereof, for the balance of pay of capt. Spangler's company, 634 dollars; of capt. Shappel's company, 274.78 dollars; of capt. Seydett's company, 293.12 dollars; of Capt. Ladig's company, 786.12 dollars; of capt. Whetſtone's company, 74.54 dollars; amounting in the whole to 2611 dollars:

To capt. James M'Connel, of col. Watt's battalion, of Cumberland county flying camp for pay, and for guns, &c. loſt at fort Waſhington, 408.72 dollars.

To Robert Jewell, for the balance of the following accounts for maintaining priſoners in the new goal, his and his two aſſiſtants ſalary, &c. viz. his account from January 24 to February 21, not before ſettled, £. 234 : 12 : 8; from the 6th to the 17th June, £. 147 : 8 : 2, making in the whole £. 382 : 0 : 10, from which deduct £. 300 : 0 : 0, an advance made him in December laſt, the balance due to him is, £. 82 : 0 : 10, equal to 218 70 dollars:

To capt. Yoſt Herbach, of col. Joſeph Donaldſon's battalion of York county militia, for the pay and mileage of his company, 376.10 dollars."

Ordered, That the ſaid accounts be paid.

The committee appointed to deviſe ways and means for ſupplying the army with ſhoes, hats, and ſhirts, brought in a report, which was taken into conſideration; whereupon

Reſolved, That a ſuitable perſon be appointed commiſſary, to receive all raw hides belonging to the United States, and that he be authoriſed to exchange the ſame for tanned leather or men's ſhoes, at the cuſtomary rates of exchange, and have the leather, ſo obtained, worked into ſhoes, and deliver them to the clothier general or his order, taking duplicate receipts; one of which he ſhall tranſmit to the board of treaſury:

That when the ſaid commiſſary ſhall be of opinion, that the ſaid exchanges cannot be made on reaſonable terms, he be authoriſed

thoriſed to provide tanyards, materials and workmen for that purpoſe, or contract with proper perſons to tan them on reaſonable terms:

That if oil cannot be procured for preparing the curried leather, the ſaid commiſſary be ſupplied with tallow out of the public ſtores, to be uſed inſtead thereof; and that he draw for ſo much as may be neceſſary on any of the commiſſaries of iſſues, making a return of the quantity ſo drawn to the deputy commiſſary general of iſſues in the diſtrict:

That the ſaid commiſſary of hides ſhall be ſupplied with money for carrying on the ſaid buſineſs as occaſion may require, on application to Congreſs; and that he ſettle his accounts with the treaſury board once a year, or oftener if required:

That the board of war may order the commiſſary of hides to deliver to the commiſſary of military ſtores ſo much of the leather in his hands as may be neceſſary for making accoutrements, &c. for the army; and that the ſaid commiſſary ſhall obey ſuch orders and directions as may from time to time be given to him by the board of war, reſpecting the buſineſs of his office and the perſons neceſſary to be employed by him in the ſervice, and make return of his doings to the ſaid board when required:

That the ſecret committee import a ſuitable number of felt hats, not exceeding 50,000, and linen for as many ſhirts, for the uſe of the army; and alſo import from the Spaniſh Weſt-Indies ſuch a quantity of dried hides as they may judge neceſſary for a further ſupply of leather for ſhoes and other public uſes:

That it be recommended to the governments of the ſeveral ſtates to procure as much home made linen, ſuitable for ſhirts for the troops, as may be obtained on reaſonable terms in the reſpective ſtates, and deliver the ſame to the clothier general, taking duplicate receipts, and tranſmit one of them to the treaſury board; and apply to Congreſs for ſuch ſums of money as may be neceſſary to pay for the ſame:

That the pay of the commiſſary of hides be 80 dollars a month.

Congreſs proceeded to the election of a commiſſary of hides; and the ballots being taken,

Peter Philips, eſq; was elected.

Congreſs took into conſideration the report of the board of treaſury, on the rules to be obſerved in paying the army; and after debate,

Ordered, That it lie for conſideration till Tueſday next, and that in the mean time the board of treaſury prepare printed copies of the form mentioned in the ſaid report.

The committee to whom was referred the caſe of Major Apollos Morris brought in a report, which was taken into conſideration; whereupon

Reſolved, That Major Apollos Morris be put under parole by the board of war not to bear arms againſt the United States of America

America during the present war with Great-Britain, not to give any intelligence directly or indirectly to the enemies of the said United States or any of them, of any measures or proceedings of Congress, or any of the legislative or executive powers presiding in the several states respectively:

That when the board of war shall have taken such parole, they direct the said Major Apollos Morris to remain in Philadelphia until an opportunity shall offer for the said Major to take passage to Europe or the West-Indies, with the consent and approbation of the marine committee.

Resolved, That Monday next be assigned for considering the articles of confederation.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *June* 23, 1777.

Mr. John Penn, a delegate from North Carolina, attended and took his seat.

A letter of the 20th from general Washington, at Middlebrook, inclosing an extract of a letter from colonel Jackson to general Knox, dated "Boston 8th June," and a copy of a letter from general Schuyler, at Saratoga; also a letter of this day from doctor D. Jackson requesting leave to resign his appointment as a manager of the United States lottery; and a letter of the 20th from doctor Shippen, informing "that doctor Walter Jones for weighty reasons cannot accept the honor Congress did him in appointing him physician general of the hospital in the middle department; and that he gives this information at the desire of doctor Jones," also a letter of the 28th of May from Pierre van Cortlandt, president of the council of safety of New-York, were read.

Ordered, That the letter from general Washington, with the papers inclosed, be referred to the committee of intelligence:

That the letter from doctor Shippen lie on the table till to-morrow.

Resolved, That doctor Jackson, who has entered into the service of the general hospital have leave to resign his office of manager of the lottery.

A delegate from the state of New-York laid before Congress a printed paper, signed "A word to the wise is sufficient," containing an extract from the minutes of Congress, and a letter signed Thomas Young, to the inhabitants of Vermont, dated "Philadelphia, April 11, 1777," which was read;

Ordered, That the letter from P. van Cortlandt and the foregoing printed paper, and the papers formerly received from the convention of New-York, respecting the difference likely to arise between that state and the inhabitants of the place called the New-Hampshire grants, and also the papers received from the said inhabitants, be referred to a committee of the whole.

Resolved,

Resolved, That Congress will on Wednesday resolve itself into a committee of the whole, to consider the aforesaid letters and papers.

Resolved, That Joseph Trumbull, esq; and the several persons by him lately employed in the commissary's department be directed to supply the army with provisions in the mode which they have heretofore practised, until the commissaries general on the new establishment shall be prepared to enter upon the business.

Resolved, That the board of war be directed to prepare the form of a commission for the officers in the commissary's department.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That Elias Boudinot, esq; commissary general of prisoners, have power to appoint three deputies under him, in addition to those he was heretofore authorised to appoint:

That all commissaries or other persons in the several states having the custody or care of prisoners of war, be obliged at any time when required by the commissary general of prisoners, or his deputies, to deliver over to him or his deputies, all such prisoners of war as are or shall be in their care or custody.

According to the order of the day, Congress took into consideration the articles of confederation; and after debate,

Resolved, That the farther consideration thereof be postponed till to-morrow.

A letter of the 14th from general Schuyler, at Saratoga, with seven papers inclosed, was read:

Ordered, That the same be referred to the board of war.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant be drawn in favor of the board of war for 200,000 dollars, to be by them sent to the deputy paymaster general Jonathan Trumbull, jun. for the use of the army in the northern department.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *June* 24, 1777.

A letter of the 22d from general Washington at Middlebrook; one of the 23d from Mr. President M'Kinley; one of the 19th from governor Livingston; and a petition from Henry Yelverton Price, were read:

Ordered, That the letter from general Washington be referred to the committee of intelligence.

Congress took into consideration the letter from president M'Kinley; whereupon

Resolved, That for the reasons assigned in the said letter, the militia of the state of Delaware now drawn forth into actual service be discharged; and that a warrant be drawn on the commissioner

miſſioner of the continental loan office in the ſaid ſtate, in favor of Mr. preſident M'Kinley, for 10,000 dollars, to pay the ſaid militia; he to be accountable.

A petition from Daniel Bucklin, commander of the privateer Montgomery, was read:

Ordered, That it be referred to the committee on appeals.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That a warrant iſſue on the continental treaſurer in favour of John Gibſon, eſq; auditor general, for the ſum of 500,000 dollars, to be ſent to him, and for which he is to be accountable.

Reſolved, That there be allowed for holding the treaty at fort Pitt, lately agreed to, 3000 dollars, to be paid to colonel George Morgan, for which he is to be accountable:

That there be allowed for contingent expences of the middle department for Indian affairs, until December next, 1200 dollars, to be paid to colonel George Morgan, and for which he is to be accountable.

Reſolved, That the execution of the reſolution of Congreſs of the 8th day of January laſt, for laying up magazines of proviſions at fort Pitt be ſuſpended, ſo far as relates to Indian expeditions, of which at preſent, from the friendly diſpoſition of the Indians, there ſeems but little probability; and that a magazine be laid up there ſufficient only for the ſupply of the poſts and garriſons in that quarter.

Reſolved, That for completing boats and other veſſels ordered by Congreſs to be kept in readineſs at fort Pitt, 3000 dollars be advanced to colonel George Morgan; for which he is to be accountable.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That 1200 dollars be advanced to captain Robert Higgins, of the 8th Virginia regiment, to enable him to compleat his company; he to be accountable for the expenditure.

Reſolved, That the board of war write to the commiſſary of priſoners, inſtructing him to propoſe to the commiſſary of priſoners in New-York, that the priſoners of each party in the preſent war be ſupplied with ſuch proviſions, clothing or other neceſſaries during their captivity by the reſpective captors, as may be approved by the deputy commiſſaries reſident where the priſoners are confined, fixing in the contract the quantum and value of a ration of proviſions; the cloathing and neceſſaries to be charged at the current prices; and the account of ſuch ſupplies to be rendered quarterly, and the balance paid, if required, in proviſions at the current rates, if due from the American commiſſary; or in cloathing at the current price, if due from the Britiſh commiſſary.

Resolved, That the commissary of prisoners be empowered to make such contract on behalf of the United States of America, and to make such reasonable alterations from the directions of the board of war as he may find necessary to obtain an equitable bargain for the mutual supply of prisoners.

Resolved, That if the commissary general of prisoners shall not be able to accomplish a contract on equitable principles within the space of three weeks from this date, he be authorised to send in a quantity of provisions to supply the prisoners of war taken by the enemy and now in New-York: that the overplus provision beyond what the prisoners want for their sustenance be sold to supply them with cloathing and other necessaries; and that it be recommended to the commissary general of prisoners not to divulge this resolution, that unreasonable advantage may not be taken of it.

The board of war having recommended that eleven workmen employed by colonel Mark Bird, in the cannon foundery and nail works, in Berks county, in Pennsylvania, carried on by him for the use of the United States, be discharged from the militia into which they are draughted:

Ordered, That this matter be referred to the supreme executive council of the state of Pennsylvania.

A petition from Andrew Hodge was read:

Ordered, That it be referred to the marine committee; and that they be impowered and instructed to take measures for obtaining an exchange of Andrew Hodge, son of the petitioner.

A petition from Robert Levers was read:

Ordered, That it be referred to the board of treasury.

Resolved, That Mr. Frost be appointed a member of the marine committee, in the room of Mr. Whipple.

Resolved, That another member be added to the board of war.

Resolved, That the election be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *June* 25, 1777.

Mr. Dyer, Mr. Williams, and Mr. Law, three delegates from Connecticut, attended and took their seats.

A letter of the 28th May, one of the 11th, and one of the 12th instant, from governor Trumbull; and one of the 20th May from general Spencer, were read:

Ordered, That they be referred to the board of war.

Resolved, That to-morrow be assigned for taking into consideration the articles of confederation.

According to the order of the day, Congress resolved itself into a committee of the whole, to consider the letter from A. Ten Broeck,

Broeck, president of the convention of the state of New-York, dated January 20th and March 1st, the resolutions passed in committee of safety for the said state, Fish-Kill, January 20th, 1777; also a petition signed Jonas Fay, Thomas Chittenden, Heman Allen, and Reuben Jones, in behalf of the people stiling themselves inhabitants of the New-Hampshire grants, dated "New-Hampshire grants, Westminster, 15th January, 1777;" a letter from Pierre Van Cortlandt, dated 28th May, 1777; and the printed paper, containing a letter signed Thomas Young;—and after some time spent thereon the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the letters and papers referred to them, but not having had time to go through the same, desired leave to sit again.

Resolved, That Congress, on Friday next, resolve itself into a committee of the whole, to consider farther the letters and papers aforesaid.

A letter from Monsieur du Coudray was read:

Ordered, That it be referred to the board of war.

The commitee on foreign applications brought in a report;

Ordered, That the same be taken into consideration to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *June* 26, 1777.

A letter of the 25th from general Washington, at Quibble-Town, was read:

Ordered, That it be referred to the committee of intelligence.

A letter of this day from Matthew Irwine was read, wherein he informed Congress, that he cannot accept the office of deputy commissary general of issues, to which Congress have been pleased to appoint him.

The committee appointed to inquire into the conduct of the commissaries, to whom the petition of John Lowrie, Michael Mount, and Jacob Hendrickson, and the petition of captain Francis Wade were referred, reported; "That captain Francis Wade was in January last commissioned by general Washington, in pursuance of authority from Congress, to collect in New-Jersey, for the use of the army, all the beef, pork, flour, spirits, liquor, &c. not necessary for the subsistence of the inhabitants, and if not to be otherwise obtained, to use force for that purpose; that he accordingly collected considerable quantities, for most of which greater prices were asked by the proprietors than he thought proper to give;—upon due consideration whereof your committee recommend, that captain Francis Wade be directed to pay the following prices for such articles by him taken in the Jerseys early in January last, which were not paid for to the satisfaction of the owners, viz. pork at 18 2-3d dollars; West-India rum at 2 2-3 dollars per gallon; French and country rum

at 2 dollars per gallon; salt, 4 dollars per bushel; sugar, 24 dollars per hundred; cheese, 15-90ths dollar per lb. hogs-lard, 12-90ths dollar per lb. That they have enquired into capt. Wade's conduct as a public officer, and are of opinion, that he acted with as little severity as might be expected in the execution of such an office, ever disagreeable to a free people to have exercised among them, and which nothing but pure necessity could authorise."

The committee farther report in addition to their report of the 14th April last, "That having in course of their inquiry into the conduct of the commissaries, received sundry informations respecting the misconduct of Mr. Carpenter Wharton, they, at his request, furnished him with the charges brought against him, which were sent by a messenger of this house, and are as follows, viz.

1. That during the last campaign he neglected his duty in not seasonably supplying the army with provisions, and put the general under the necessity of appointing a commissary in his stead.

2. That in the fall of the last year he brought to fort Lee such a large number of cattle, by his own acknowledgment not less than 700, others say more, at a time that they suffered greatly for want of proper keeping, and became unfit for beef, many of them in such state when delivered, and from the largeness of their numbers many were lost; and upon the retreat of our army across Delaware river, droves of cattle by his direction were brought in, out of one of which droves 254 cattle were taken as unfit for killing, and sent to his farm to winter, which he acknowledges were sold, the loss upon which, it is supposed, the public are charged with.

3. That he purchased large quantities of flour to supply the magazines and army, at extravagant prices, much beyond what the same might have been procured for, employing persons to purchase either wholly unacquainted with business, or such as designedly raised the prices with a view to increase their profits, under the idea of receiving commissions.

4. That he raised the price of pork by bidding either by himself or agents, much greater prices than people he purchased from had agreed to sell the same for to other commissaries; that he also purchased rum at prices higher than the same might have been obtained for.

5. That so far from endeavouring to serve the public faithfully, he refused to confer with other commissaries for concerting a mode to prevent the extravagant rise of provisions by their bidding upon each other, said he would take his own method of purchasing, and others might do the same.

6. That he neglected his duty in not purchasing larger quantities of pork in the proper season, when the same might have been had on reasonable terms.

That

That since sending the above charges, the committee have till this time delayed any further proceedings therein, that Mr. Wharton might have sufficient time to offer what he thought proper in vindication of his conduct, but have not heard any thing further from him: they are therefore of opinion, that Mr. CarpenterWharton ought to be immediately required to settle all his commissarial accounts with the commissioners for auditing accounts now sitting in Philadelphia; and that the said commissioners be furnished with the said charges, and such other information as the committee may think proper to give, the better to enable them to detect frauds if attempted, and do justice in the premises."

Resolved, That the said report be agreed to.

According to the order of the day Congress took into consideration the articles of confederation; and after debate thereon,

Resolved, That the farther consideration thereof be postponed.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

FRIDAY, *June* 27, 1777.

A letter of the 19th from W. Aylet, at Williamsburgh; one of the 20th from W. Finnie, D. Q. M. G. also a letter from governor Henry to the delegates of Virginia, were read:

Ordered, That they be referred to the board of treasury.

The committee on the treasury reported:

"That there should be advanced to colonel George Morgan 20,000 dollars, for completing the payment of money he has engaged for on contracts for provisions, which are directed to be laid up in magazines at fort Pitt, for the supply of the different garrisons in that quarter; for the expenditure of which the said colonel George Morgan is to be accountable."

Ordered, That the said sum be advanced.

In consequence of an adjustment by the commissioners of claims, the auditor general reports:

"That there is due to Robert Aitken, for 768 journals of Congress, a copper plate printing press, &c. 1487.6 dollars:

"To colonel Henry Haller, for the expences of escorting 23 Canadian prisoners from Reading to Paules-Hook, with two stage and three baggage waggons, twenty days on the road, 1044.88 dollars, and for 56 lb. of lead for the use of his battalion, 3.66 dollars, amounting in the whole to 1048.64 dollars:

"To Rebecca Terry, for dieting soldiers of captain Grier's company, 6.70 dollars:

"To Robert M'Knight, for a gun and bayonet, his property, lost in the retreat from Trenton last winter, 13.30 dollars:

"To Franklin Davenport, as brigade major under colonels Griffin, Newcombe, and Penrose, in the militia service of New-Jersey, for pay from the 22d of December, 1776, to 26th January, 1777, 56.48 dollars: "To

" To William Tricket, for ſtationary he furniſhed for the uſe of Congreſs and the treaſury office, 102 dollars:

" To colonel George Morgan, for the balance of his account in the Indian department, 42.36 dollars:

" To Jacob Neff, for ſundry meals ſupplied troops of the militia on their march, 23.72 dollars:

" To William Pollard, for the expences of ſix of the Philadelphia light horſe to bring colonel Hauſegger from Lebanon, by order of general Gates, 63.14 dollars:

" To William Hall, for the expences of four of the Philadelphia light horſe on their expedition to Princeton with a charge of money, as alſo attending priſoners to Coryell's ferry, 66.47 dollars:

" To George Derland, a private in captain James M'Clure's company, for his gun, bayonet, &c. loſt at fort Waſhington, 16.60 dollars:

" To major Thomas Leonard, a priſoner on parole at Reading, being of colonel Skinner's corps in the Britiſh ſervice, for his allowance from the 3d of March to the 22d of June, being 16 weeks, at two dollars per week, 32 dollars."

Ordered, That the ſaid accounts be paid.

The committee on the treaſury reported, " That they have had under conſideration the requeſt of the commiſſary general referred to them for ſupplying Mr. Matthew Irwine with 80,000 dollars, to enable him to pay for the magazines of proviſions laid up in Pennſylvania; that they have been attended by Mr. Irwine, and in anſwer to their enquiry how this money was intended to be diſpoſed of, were informed, that Joſeph Pennel laſt winter purchaſed in Lancaſter and York-Town, about 20,000 barrels of flour, 11,000 buſhels of wheat, and 15,000 gallons of whiſkey, which are ſtill ſtored at thoſe places and Valley Forge, and that a balance of 20,000 dollars remains due to Mr. Pennel, and that Mr. Dunham wants 12,000 dollars to pay for cattle ſent to head quarters. That it appears to the committee that the ſaid flour and wheat are in great danger of periſhing, and muſt be wholly loſt to the public unleſs ſome effectual means are applied for their preſervation."

The committee farther report, " That they are alſo informed by Mr. Irwine, that the price of cattle in Pennſylvania is moſt exorbitant, and are of opinion that it is adviſeable to direct the commiſſary general to ſuffer as few as poſſible to be purchaſed in that ſtate." Whereupon

Ordered, That ſo much of the ſaid report as relates to the periſhable ſtate of the wheat and flour be referred to the board of war, who are directed to confer with Mr. C. Ludwick, ſuperintendant of bakers, on the ſubject, and direct meaſures to be immediately taken for preſerving the ſaid wheat and flour:

That

That ſo much of the ſaid report as relates to the high price of cattle in Pennſylvania, be ſent to the commiſſary general of purchaſes; and that he be directed to ſuffer as few as poſſible to be purchaſed in that ſtate.

Ordered, That there be advanced to Matthew Irwine, agent to Joſeph Trumbull, eſq; commiſſary general, 80,000 dollars, agreeable to the ſaid commiſſary's requeſt; who is to be accountable.

Ordered, That there be advanced to Rowland Madiſon, captain of a company of foot in the 12th continental regiment raiſed in Virginia, and commanded by colonel James Wood, 500 dollars, which is to be charged to the ſaid regiment.

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Connecticut, in favour of Joſeph Trumbull, eſq; commiſſary general, for 100,000 dollars; for which he is to be accountable.

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of New-York, in favour of Jonathan Trumbull, jun. eſq; deputy paymaſter general in the northern department, for 200,000 dollars; for which he is to be accountable.

Ordered, That a warrant iſſue on the treaſurer in favour of John Gibſon, eſq; auditor general, for 500,000 dollars, to be ſent to him; for which he is to be accountable.

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of New-Jerſey, in favour of the delegates of New-Jerſey, for 31,000 dollars, for the uſe of that ſtate; which is to be accountable.

Ordered, That there be advanced to captain James Holmes, of colonel Martin's New-Jerſey battalion, 300 dollars; to be charged to the ſaid battalion.

Ordered, That 1000 dollars be advanced to captain Jacob Weaver, of the independent company at Lancaſter, for the uſe of the ſaid company; he to be accountable for the expenditure.

Reſolved, That to-morrow be aſſigned for electing a deputy commiſſary general of iſſues in the room of Mr. Irwine, who has declined ſerving.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *June* 28, 1777.

A letter of the 15th of May from William Bingham, at St. Pierre's, Martinico, to the committee of ſecret correſpondence, was laid before Congreſs and read:

Ordered, That it be referred to the committee on foreign applications.

A letter of the 26th from Robert Ritchie was read, requeſting leave to reſign the office of a manager of the lottery, "As the buſineſs of a commiſſioner of claims, to which Congreſs has been pleaſed to appoint him, ingroſſes the whole of his time."

Reſolved,

Resolved, That leave be granted to him.

A letter of the 24th from David Hall and others, with sundry papers inclosed, was read:

Ordered, That the same be referred to a committee of five.

The members chosen, Mr. Vandike, Mr. Paca, Mr. Duane, Mr. S. Adams, and Mr. Wilson.

Resolved, That Tuesday next be assigned for taking into consideration the report of the committee on foreign applications respecting Monsieur du Coudray.

Congress resolved itself into a committee of the whole to take into consideration the letters and papers from the state of New-York, the petition from Jonas Fay and others, and the printed paper referred to them; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon, but not having had time to finish, desire leave to sit again.

Resolved, That Congress on Monday next be resolved into a committee of the whole to consider farther the papers aforesaid.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *June* 30, 1777.

A letter of the 28th from general Washington, at Middlebrook; one of the 27th from Joseph Trumbull, esq; and one of this day from colonel George Morgan, were read:

Ordered, That the letter from Joseph Trumbull be referred to the board of treasury.

A letter of the 6th and one of the 27th of February, from Silas Deane, esq; at Paris, directed to the committee on foreign applications.

Ordered, That they be referred to the committee on foreign applications.

Ordered, That 500 dollars be advanced to the delegates of Connecticut, for the use of that state; which is to be accountable.

Ordered, That Mr. Sherman have leave of absence.

Resolved, That Mr. Law be appointed a member of the marine committee, in the room of Mr. Sherman.

Resolved, That two members be added to the committee on Indian affairs:

The members chosen, Mr. Walton and Mr. Duane.

Congress resolved itself into a committee of the whole to consider farther the letters and papers from the state of New-York, the petition from Jonas Fay, &c. and the printed papers; and after some time spent thereon the president resumed the chair, and Mr. Harrison reported, That the committee have had under consideration the letters and papers referred to them, and have come to sundry resolutions thereupon, which he was ready to report. *Ordered*,

Ordered, That the report be now received.

The report from the committee of the whole Congreſs being read, was agreed to as follows:

Reſolved, That Congreſs is compoſed of delegates choſen by, and repreſenting, the communities reſpectively inhabiting the territories of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, as they reſpectively ſtood at the time of its firſt inſtitution; that it was inſtituted for the purpoſes of ſecuring and defending the communities aforeſaid againſt the uſurpations, oppreſſions, and hoſtile invaſions of Great-Britain; and that therefore it cannot be intended that Congreſs by any of its proceedings, would do or recommend or countenance any thing injurious to the rights and juriſdictions of the ſeveral communities, which it repreſents.

Reſolved, That the independent government, attempted to be eſtabliſhed by the people ſtiling themſelves inhabitants of the New-Hampſhire Grants, can derive no countenance or juſtification from the act of Congreſs declaring the United Colonies to be independent of the crown of Great-Britain, nor from any other act or reſolution of Congreſs.

Reſolved, That the petition of Jonas Fay, Thomas Chittinden, Heman Allen and Reuben Jones, in the name and behalf of the people ſtiling themſelves as aforeſaid, praying that "their declaration, that they would conſider themſelves as a free and independent ſtate may be received; that the diſtrict in the ſaid petition deſcribed may be ranked among the free and independent ſtates, and that delegates therefrom may be admitted to ſeats in Congreſs," be diſmiſſed.

Reſolved, That Congreſs by raiſing and officering the regiment commanded by colonel Warner, never meant to give any encouragement to the claim of the people aforeſaid, to be conſidered as an independent ſtate; but that the reaſon, which induced Congreſs to form that corps was, that many officers of different ſtates, who had ſerved in Canada, and alledged that they could ſoon raiſe a regiment, but were then unprovided for, might be reinſtated in the ſervice of the United States.

Whereas a printed paper addreſſed to the inhabitants of the diſtrict aforeſaid, dated Philadelphia, April 11,

1777, and subscribed Thomas Young, was laid before Congress by one of the delegates of New-York, to which address is prefixed the resolution of Congress of the 15th May, 1776, and in which are contained the following paragraphs: "I have taken the minds of several of the leading members "of the honourable the continental Congress, and can as- "sure you, that you have nothing to do, but to send at- "tested copies of the recommendation to take up govern- "ment, to every township in your district, and invite "all the freeholders and inhabitants to meet and chuse "members for a general Convention, to meet at an early "day to chuse delegates for the general Congress and com- "mittee of safety, and to form a constitution for yourselves. "—Your friends here tell me that some are in doubt, whe- "ther delegates from your district would be admitted into "Congress. I tell you to organise fairly, and make the "experiment, and I will ensure you success at the risque "of my reputation, as a man of honor or common sense.— "Indeed they can by no means refuse you: you have as "good a right to chuse how you will be governed, and by "whom, as they had."

Resolved, That the contents of the said paragraphs are derogatory to the honor of Congress, are a gross misrepresentation of the resolution of Congress therein referred to, and tend to deceive and mislead the people to whom they are addressed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *July* 1, 1777.

A letter of the 29th and 30th of June from general Washington, at Middlebrook; one of the 30th from Joseph Trumbull, commissary general; one of the 19th from B. Harrison, junr. deputy paymaster general, at Williamsburg; one of the 28th from Jonathan Hudson, at Baltimore; one of this day from James Mease, and one of 18th of March, from A. Lee, esq; at Vitoria in Spain to the committee of secret correspondence were read: also a letter of the 20th of June from governor Henry, of Virginia, to the delegates from that state in Congress, was read:

Ordered, That the letters of the 28th, 29th and 30th of June from general Washington, with the papers inclosed, be referred to the committee of intelligence:

Th

That the letter from governor Henry be referred to the board of war.

Resolved, That orders be sent to colonel Charles Harrison, of the regiment of artillery raised in Virginia, to halt in Virginia till further orders.

Ordered, That a warrant issue on the treasurer at Baltimore in favour of James Mease, cloathier general, for 10,000 dollars for the public service, he to be accountable.

Ordered, That a warrant for 20,000 dollars be drawn on the treasurer in favor of Jonathan Hudson, deputy paymaster at Baltimore, for public service, he to be accountable.

Ordered, That the letter from B. Harrison be referred to the board of treasury, and the letter from A. Lee to the committee on foreign affairs.

A letter from governor Caswell of North Carolina to the delegates of that state in Congress, dated Newbern, June 11th, and inclosing a bill of exchange for 700 dollars, drawn on the continental treasurer, was read;

Ordered, That the same be referred to the board of treasury.

The committee on the treasury reported, that they have taken into consideration the letters from governor Henry of Virginia, Mr. Aylett, deputy commissary general, Mr. Finnie, deputy quarter-master general, and an account of provisions purchased in Virginia for the use of the United States; and find that beside twenty cargoes of flour, amounting to 10282 barrels, shipped from different parts of Virginia on continental account, by order of the commissary general, there remains stored in different places of that commonwealth 10676 barrels of flour, 1100 barrels of pork, and 5790 barrels of Indian corn, which, exclusive of several cargoes and expenditures not accounted for, amount to 48,107l. 9s. 3d. 1-2, of which Mr. Aylett has received 23,727l. 2s. 8d. and he claims a balance in his favor of 24,383l. 6s. 7d. 1-2; that this state of his accounts is collected from a rough estimate transmitted by Mr. Aylett, unattended by proofs or vouchers; that they cannot but express their apprehensions that the flour and corn which remain stored in Virginia are in great danger of perishing and being lost to the public from the heat of the weather and the difficulty of transportation, unless some effectual means be speedily adopted for their preservation. Whereupon

Resolved, That the accounts of provisions shipped from and stored in Virginia for the use of the United States, be referred to the board of war, in order that the proper enquiry be made into the state of these provisions, and the most effectual means be adopted to prevent their perishing or being lost to the public:

That a warrant be drawn by the president on Benjamin Harrison, esq; deputy paymaster general in the southern department, for 60,000 dollars, on account of his present demands, and that Mr. Aylett be informed by the board of treasury that agreeably to the late regulations of the commissary general's department, no money can be furnished in future for the use of his department but through the commissary general of purchases, to whom he must apply.

The committee on the treasury further reported, "That William Finnie, esq; deputy quarter-master general in the southern department, should have leave, agreeable to his request, to repair to Philadelphia, in order to settle his accounts with the commissioners of accounts holding their office at the treasury, under the direction of the board of treasury;" whereupon resolved, That leave be granted.

Ordered, That 500 dollars be advanced to captain James Lee, towards recruiting the artillery, and charged to the account of Henry Knox, brigadier general of artillery, the same being in full of a bill drawn in his favour by the said brigadier general Knox, dated Camp at Quibbletown, 25th June, 1777.

Ordered, That there be advanced to Jacob Blount, esquire, appointed paymaster to the North Carolina troops by that state, or to his deputy William Blount, 24000 dollars for the pay of the said troops, for which the said paymaster is to be accountable.

Ordered, That there be advanced to captain James Marbury, of the 3d battalion of Maryland continental troops, commanded by colonel Mordecai Gist, for the use of a detachment of the said battalion under his command, and to be charged to the said battalion, 204 dollars; and for the use of a detachment also under his command of one of the sixteen battalions, commanded by Nathaniel Gist, 260 dollars, to be charged to the said battalion: and for the use of a detachment also under his command of the 4th Maryland continental battalion, commanded by colonel J. Carvil Hall, to be charged to that battalion, 55 dollars: and for the use of a detachment also under his command of the 7th Maryland continental battalion, commanded by colonel John Gunby, 40 dollars, to be charged to that battalion.

Ordered, That there be advanced to doctor W. Shippen, director general of the military hospital, 25,000 dollars, for which he is to be accountable.

Ordered, That the letter from Joseph Trumbull, esquire, commissary general, which was read this morning, be referred to a committee of three.

The

The members chosen, Mr. Dyer, Mr. Sergeant, and Mr. Roberdeau.

Congress proceeded to the election of a deputy commissary general of issues, in the room of Mr. Irwine, and the ballots being taken, Robert Hoops was elected.

Congress proceeded to the election of a physician general of the hospital in the middle department, in the room of doctor Jones, and the ballots being taken,

Doctor Benjamin Rush was elected.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That the part of governor Trumbull's letter of the 12th of June, which relates to the supplying the state of Connecticut with a number of arms, be referred to general Washington.

Resolved, That the committee on Indian affairs, be impowered to receive from Mr. Levy the Wampum in his hands belonging to the public, and to dispose of the same for the public service.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *July* 2, 1777.

Ordered, That the letter of the 30th June from colonel G. Morgan be referred to the board of treasury.

The committee to whom was referred the letter of June the 30th from Joseph Trumbull, esq; commissary general, brought in a report, which was taken into consideration; whereupon

Resolved, That the deputy commissaries general of purchases respectively be authorised to make reasonable allowances to such of the assistant commissaries as are employed in buying and collecting live stock, for all extraordinary travelling expences, which they may be necessarily put to, not exceeding one dollar and one third of a dollar per day for such additional allowance:

That there be paid to the assistant commissaries of issues, each sixty dollars a month.

Resolved, That the following be the form of the commission to be filled up according to the several stations of the several commissaries of purchases and issues, viz.

In CONGRESS.

The delegates of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations,

ous, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to ——— We reposing special trust and confidence in your patriotism, conduct, and fidelity, do by these presents constitute and appoint you to be ——— in the army of the United States raised for the defence of American liberty, and for repelling every hostile invasion thereof: you are therefore carefully and diligently to discharge the duty of ——— by doing and performing all manner of things thereunto belonging. And you are to observe and follow such orders and directions from time to time as you shall receive from this or a future Congress of the United States, or committee of Congress for that purpose appointed, or commander in chief for the time being of the army of the United States, or any other your superior officer, according to the rules and discipline of war in pursuance of the trust reposed in you. This commission to continue in force until revoked by this or a future Congress. Dated at ———

By order of Congress, President.

Attest.——

Congress proceeded to the election of a surgeon general of the hospital of the middle department, in the room of doctor Rush; and the ballots being taken,

Doct. William Brown, was elected.

Resolved, That a member be added to the board of war: The member chosen Mr. Duer.

Resolved, That to-morrow be assigned for taking into consideration, the articles of confederation.

Congress took into consideration the report on Monsieur du Coudray's affairs; whereupon

The committee on foreign applications laid before Congress the following papers:

1. Articles of agreement entered into between Silas Deane, on the one part, and the Sieur Philippus Charles John Baptist Tronson du Coudray, adjutant general of artillery in the service of France, dated 11th of September, 1777.

2. Compte rendu a Messr. les deputes de l'honorable Congres, des etats unie d'Amerique par Monsr. du Coudray. With a translation.

3. A bundle of original papers referred to in the foregoing account.

4. An agreement entered into between Benjamin Franklin and Silas Deane, in behalf of the United States, and the chevalier du Portail, lieutenant colonel in the royal corps of engineers of France, Monsieur de Laumoy, major, Monsr. de

de Gouvion, capt. and Monſr. La Radiere, major, in the ſaid corps, together with obſervations thereon both in French and Engliſh:

And the ſaid committee reported, as their opinion, that the conſideration of theſe ſeveral agreements and papers ſhould be referred to a committee of the whole Congreſs; whereupon

Reſolved, That the ſaid agreements, &c. be referred to a committee of the whole. Congreſs was then reſolved into a committee of the whole, to conſider the foregoing papers; and after ſome time the preſident reſumed the chair, and Mr. Harriſon reported, that the committee have had under conſideration, the agreements and papers referred to them, but not having had time to go through the ſame, deſire leave to ſit again.

Reſolved, That Congreſs, on Saturday next, reſolve itſelf into a committee of the whole, to conſider farther the papers before mentioned.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *July* 2, 1777.

A letter of the 1ſt from general Waſhington, at Middlebrook; one of the 25th of June, from general Schuyler, at Saratoga, with ſundry papers incloſed; one of the 2d from Joſeph Trumbull; one of the 30th June, from general Putnam, at Peekſkill; one of the 22d of June, from doctor Potts, at Ticonderoga; one of the 16th of June, from John Avery, deputy ſecretary, dated council chamber, Boſton; and one of the 1ſt of July, from general Sullivan, at Middlebrook; were read:

Ordered, That the letters from general Waſhington and general Schuyler, with the papers incloſed, be referred to the board of war; that ſo much of general Waſhington's, as relates to money matters, and the letter from Joſeph Trumbull, be referred to the board of treaſury, and that the letter from doctor Potts be referred to the medical committee.

A letter of the 22d of June, from William Greene, ſpeaker of the general aſſembly of Rhode-Iſland and Providence Plantations, to the delegates in Congreſs from that ſtate, was read:

Ordered, That it be referred to the board of treaſury.

The committee to whom the letter from David Hall and others, with the papers accompanying the ſame, was referred, brought in a report: whereupon

Reſolved,

Reſolved, That the preſident of the ſtate of Delaware be requeſted to order two hundred of the militia of that ſtate to join and co-operate with colonel Richardſon's regiment:

That it be earneſtly recommended to the legiſlative or executive authority of the ſtate of Delaware, to adopt and purſue the moſt vigorous and effectual meaſures for checking the ſpreading of diſaffection in that part of the ſtate:

That for accompliſhing this end Congreſs will afford to the ſtate of Delaware every aſſiſtance by the continental troops ordered into the county of Suſſex, and by all ſuch other meaſures as may be found to be neceſſary.

Reſolved, That the board of war be directed to take effectual meaſures for compleatly arming as ſpeedily as poſſible colonel Richardſon's battalion, which is ordered into Suſſex county in the ſtate of Delaware.

Ordered, That a copy of the foregoing report and reſolutions, and alſo of the letter of the 24th June from David Hall and others, together with copies of the depoſitions accompanying the ſame, be ſent to the preſident of the ſtate of Delaware, and to colonel Richardſon.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Saturday.

SATURDAY, *July* 5, 1777.

A letter of the 25th of June from general St. Clair, at Ticonderoga; one of the 1ſt of July from major general Greene, and one of the ſame date from brigadier general Knox; one of the 30th of June from brigadier general Wayne:

A petition from colonel M. Hazen, and one from Robert Anderſon, were read:

Ordered, That the letter from general St. Clair, with the papers incloſed, be referred to the board of war:

That the petition from colonel Hazen, with the papers accompanying the ſame, be referred to the board of treaſury.

The board of treaſury reported, that they have had under conſideration the petition of captain William Jenkins, referred to them the 11th of October laſt, and he having been qualified to the truth of the facts therein ſet forth, they are of opinion that he ſhould be paid 180 dollars, which he had received for the payment of his company and loſt in the retreat from the ſiege of Quebec.

The committee on the treaſury farther reported;

That

"That a warrant ſhould be drawn on Thomas Smith, eſquire, commiſſioner of the loan office in the ſtate of Pennſylvania, in favor of John Gibſon, eſquire, auditor general, for 100,000 dollars, he to be accountable.

That another warrant be drawn on the auditor general in favor of Richard Ellis, for 700 dollars, being in full of a bill drawn by his excellency governor Caſwell, of North Carolina, in part of the expences of horſes and carriages and other neceſſaries furniſhed colonel Derford and five other French gentlemen of his party on their journey from thence to Philadelphia, to be charged to the ſaid governor:

That there be advanced to colonel Flower, commiſſary general of military ſtores, 10,000 dollars, for the uſe of his department, he to be accountable:

That a warrant be drawn by the preſident on Benjamin Harriſon, junior, eſquire, deputy paymaſter general in the ſouthern department, in favor of colonel William Aylett, deputy commiſſary general in the ſaid department, for 54,000 dollars, the ſaid colonel Aylett to be accountable:

That there ſhould be advanced to Jacob Mehs, lieutenant in captain Anderſon's company of the Pennſylvania regiment commanded by colonel Walter Stewart, 200 dollars, which is to be charged to the ſaid regiment:

That a warrant be drawn in favor of the board of war for 524,000 dollars, to be tranſmitted by them to the paymaſter general for the pay of the army:

That a warrant be drawn on the commiſſioner of the loan office for the ſtate of Rhode-Iſland, to pay to the order of the general aſſembly of the ſaid ſtate 190,000 dollars, for which they are to be accountable:

That there be advanced to the delegates of the ſtate of Rhode-Iſland, 10,000 dollars, to enable them to anſwer a bill drawn on them for the uſe of the ſaid ſtate, and for which that ſtate is to be accountable:"

Ordered, That the ſaid ſums be paid or advanced, or warrants drawn.

A letter of the 1ſt from Lux and Bowley, Samuel and Robert Purviance, and David Stewart, directed to Robert Morris, eſquire, was laid before Congreſs and read:

Ordered, That it be referred to the ſecret committee.

Whereas the ſecret committee, by the abſence of a number of members, is reduced to two;

Reſolved, That a new committee, to be ſtiled "The committee

mittee of commerce," be now appointed, to conſiſt of five members; that this committee be veſted with the powers granted to the ſecret committee, and that the members of the late ſecret committee be directed to ſettle and cloſe their accounts and transfer the balances to the committee of commerce:

The members choſen, Mr. R. Morris, Mr. P. Livingſton, Mr. W. Smith, Mr. Heyward, and Mr. Gerry.

Ordered, That the caſe of Nicholas Davis, formerly referred to the ſecret committee, be referred to the committee of commerce.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That there is due,

To John Coats, for his muſket loſt after the battle of Princeton, he having been diſabled, 14 60-90 dollars:

To Frederick Beeking, for 142 reams of paper for continental bills of credit, 1420 dollars:

To captain Thomas Lanſdale, late a lieutenant in captain Howard's company of colonel Hall's battalion of Maryland flying camp, for proviſions and neceſſaries ſupplied 365 men diſcharged from New-York in January laſt, 118 15-90 dollars:

To the owners of the powder-houſe, for ſtorage of 434 1-4 barrels of powder, 57 81-90 dollars, to be paid to the widow Spring:"

Ordered, That the ſaid accounts be paid.

A depoſition of Thomas M'Arthur, taken before Joſhua Elder, one of the Juſtices of the Peace for the county of Lancaſter, in the ſtate of Pennſylvania, reſpecting the conduct of Davies, of the city of Philadelphia, employed in purchaſing horſes, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

On application from the marine committee,

Ordered, That a warrant for 40,000 dollars be drawn on the commiſſioner of the loan office in the ſtate of Maſſachuſett's-Bay, in favor of John Bradford, eſquire; and a warrant for 5000 dollars on the deputy paymaſter general in Virginia, in favor of John Tazewell, the continental agent, for the uſe of the frigate Virginia; and another warrant for 20,000 dollars on the commiſſioner of the loan-office in the ſtate of Connecticut, in favor of governor Trumbull, for the uſe of the frigates building there, the ſame being in part of the money heretofore granted to the marine committee.

A

A copy of a letter from colonels Hale, Scammell, and Cilley, of the New-Hampshire battalions, to the executive power of that state, was laid before Congress and read:

Ordered, That it be referred to the board of war; who are directed to take the most effectual measures and give the necessary orders for arming and cloathing the troops in the northern department.

Congress took into consideration the letters from major general Greene and brigadier general Knox, and after debate,

Resolved, That the farther consideration thereof be postponed to Monday.

A letter from brigadier general Moore was read:

Ordered, That it be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to 10 o clock on Monday.

MONDAY, *July* 7, 1777.

A letter of the 5th from general Washington, with a letter to him from G. Saltonstall, and a petition from Seth Warner and other officers, were read:

Ordered, That the letter from general Washington, with the letter inclosed, be referred to the board of treasury; that the petition from Seth Warner and others lie on the table.

A petition from the reverend F. Allison, J. Ewing, and W. Marshall was read:

Ordered, That it be referred to a committee of three.

The members chosen, Mr. Roberdeau, Mr. J. Adams, and Mr. J. B. Smith.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That William Buchanan, esquire, deputy commissary general of purchases for the middle department, be directed to appoint a proper person to supply the regiment commanded by colonel Richardson with provisions, during its continuance in Maryland and the state of Delaware:

That in case Mr. Buchanan should decline acting as deputy commissary for the department, the governor and council of Maryland be authorised and requested to make the appointment of a deputy commissary for the supplying colonel Richardson's battalion with provisions during their stay in Maryland or the state of Delaware.

Ordered, That the remainder of the said report be referred to the board of treasury, in order that they may di-

rect or point out the mode of paying colonel Richardſon's battalion.

The board of war brought in another report; whereupon

Reſolved, That a letter be written to the council of ſafety of the ſtate of New-York, informing them of the diſtreſs which the troops at Ticonderoga are in for want of blankets, and requeſting them to uſe their exertions in collecting and forwarding in the moſt expeditious manner to that poſt fifteen hundred blankets:

That the faith of Congreſs be plighted to the ſtate of New-York for replacing the blankets ſo furniſhed out of the firſt importation of that article on the account of the continent in any part of the United States.

A petition from Robert Galbreath was read, and ordered to lie on the table.

Congreſs reſumed the conſideration of the letters from generals Sullivan, Greene, and Knox, all dated the 1ſt of July; whereupon Congreſs came to the following unanimous reſolution:

That the preſident tranſmit to general Waſhington copies of the letters from generals Sullivan, Greene, and Knox to Congreſs, with directions to him to let thoſe officers know that Congreſs conſider the ſaid letters as an attempt to influence their deciſions, an invaſion of the liberties of the people, and indicating a want of confidence in the juſtice of Congreſs; that it is expected by Congreſs the ſaid officers will make proper acknowledgments for an interference of ſo dangerous a tendency; but if any of thoſe officers are unwilling to ſerve their country under the authority of Congreſs, they ſhall be at liberty to reſign their commiſſions and retire.

The committee on the treaſury reported, that a warrant ſhould be drawn by the treaſurer in favor of Monſ. the Sieur Philippus Charles John Baptiſt Tronſon du Coudray, for 1000 dollars, for which he is to be accountable:

Ordered, That the ſaid warrant be drawn.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That there is due to Meſſieurs Caldwell and company, for ſundry medicine, delivered William Smith, continental druggiſt, for the uſe of the United States, 666 60-90 dollars:"

Ordered, That the ſaid account be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY,

TUESDAY, *July* 8, 1777.

A letter of the 7th from general Washington at Morristown; and one 7th from Joseph Trumbull. esq; were read:

Resolved, That brigadier general Nash be directed immediately to repair with the North-Carolina and Virginia forces now in and about Philadelphia to Billingsport, there to remain till farther orders; and that these troops, with the militia from Pennsylvania and New-Jersey already ordered to that place, be employed in compleating the works for the defence of the river Delaware.

Ordered, That Michael Hillegas, esq; continental treasurer at Baltimore, forward under a proper guard 300,000 dollars to the state of North-Carolina, being in part of the 500,000 dollars voted that state the 5th day of February last.

Resolved, That the committee of the whole Congress be discharged from so much of the business referred to them, as relates to the agreement entered into between B. Franklin and Silas Deane, esqrs; in behalf of the United States, and the chevalier du Portail, Monsr. de Laumoy, Monsr. de Gouvion and Monsr. de la Radiere.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

Resolved, That lieutenant colonel Mottin de la Balme be appointed inspector general of the cavalry of the United States of America, with the rank and pay of colonel:

That Monsr. Vallenais be appointed an aid to Monsr. de la Balme, with the rank and pay of a captain of cavalry.

Resolved, That the treaty made by the commissioners in France, on the 13th day of February last, be confirmed as far as it respects the chevalier du Portail, Monsr. de la Radiere, and Monsr. de Gouvion; the first to be a colonel, the second a lieutenant colonel, and third major of engineers.

Congress resumed the consideration of the report of the board of treasury of the 25th of June; whereupon

Resolved, That colonel George Morgan be authorised and directed to deliver so much of the provisions laid up in magazines at Fort Pitt, as he shall from time to time judge sufficient for the different garrisons in his department, always taking the commanding officer's receipt for such provisions; and that he make a reasonable allowance to a discreet person in each of the said garrisons to attend the issuing the said provisions, and to take every precaution in his power to prevent waste and fraud in issuing such provisions.

Resolved, That major gen. Gates be directed to repair to head quarters and follow the directions of general Washington.

The

The delegates of North-Carolina laid before Congreſs a letter from Adam Boyd:

Ordered, That it be referred to the board of war, who are directed to take into conſideration the caſe of the regimental armourers for the North-Carolina forces, and report thereon.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That there is due to lieutenant David Edwards, and Amos Willet, ſerjeant, for their expences and horſe hire bringing Elihu Hand, a ſuſpected perſon, priſoner from Cape May to Philadelphia, by order of general Arnold, 31 dollars:"

Ordered, That the ſaid account be paid.

On a report of a committee of the treaſury,

Ordered, That a warrant be drawn on Michael Hillegas, eſquire, continental treaſurer, in favor of Clement Holliday, eſquire, paymaſter of the Maryland battalion of continental troops commanded by colonel Richardſon, for 10,000 dollars, for the uſe of the ſaid battalion, and for which the ſaid paymaſter is to be accountable.

Reſolved, That Robert Harriſon, eſquire, be appointed to muſter the ſaid battalion while employed in the ſervice for which it is now deſtined; and that he be allowed a reaſonable compenſation for every muſter which he ſhall perform:

That while the ſaid battalion continues in ſuch ſervice colonel Richardſon ſhall certify the pay rolls of the ſeveral companies of the ſaid battalion, and his certificate ſhall be a ſufficient voucher to the paymaſter.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *July* 9, 1777.

A petition from John White, Charles Whitteſly, and Othniel Phelps, regimental quartermaſters, was read:

Ordered, That it be referred to the board of war.

A letter of the 7th from R. L. Hooper, deputy quartermaſter general, and a letter of the 5th from Joſeph Trumbull, eſquire, were read:

Ordered, That they be referred to the board of treaſury.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved,

Resolved, That the resolution of Congress relative to the measures taken for the defence of Billingsport, be transmitted to the executive council of the state of Pennsylvania, and that they be desired to go on with the assistance Congress have afforded them to complete the works at that place with all expedition agreeable to the report of the committee referred to them on the 11th June last.

Ordered That 300 dollars be advanced to the secretary of the board of war for contingent expences, he to be accountable.

Ordered, That the clothier general supply the Indians now in Philadelphia with presents to the amount of 100 dollars.

Resolved, That the secret committee be authorised and directed to unload and dispose of the three cargoes, which were shipped last spring and are still in the river Delaware, and to place the amount of the sales to the credit of the United States.

Resolved, That the bills taken in the several states from the officers who are or have been prisoners, in lieu of the subsistence money ordered to be advanced them by Congress, be transmitted to the board of treasury in Philadelphia, for the use of the United States.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *July* 10, 1777.

A petition from Joseph Belton, and one from captain Joseph Lees, were read.

Ordered, That the former be referred to the board of war, and the latter to the marine committee.

The secret committee laid before Congress a letter of the 8th of June from John Dorsius, for himself and Levinus Clarkson, and a bill of exchange drawn by Alexander Rose on John Dorsius in favor of Willing, Morris and Co.

Ordered, That the same be referred to the board of treasury, in order for paying here the before mentioned bill, and directing Mr. Dorsius to apply the amount of the said bill in discharge of the debts incurred in consequence of orders from the secret committee, and also to enable the agents of the secret committee in South Carolina, to receive all the money arising from the sale of the state lottery tickets in that state, towards discharging the debts aforesaid.

In

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

" That there is due, To Seth Griffin, for riding express from Bedford to New-London, and from thence to Philadelphia and back, and for his expences during his detention here, 108 dollars:

To James M'Cullock, for riding express from fort Henry to Pittsburgh, 12 dollars:

To Mons. Lotbinier, a Canadian chaplain, for his pay and rations, from the 10th of June to the 10th of July, being one month, 41 30-90 dollars:

To Henry Baker, for provisions supplied continental troops at Winchester, in Virginia, and on their march and for his services issuing the same, 4848 69-90 dollars:"

Ordered, That the said accounts be paid.

The committee on the treasury brought in a report, whereupon

Ordered, That 10,000 dollars be paid to Robert Lettis Hooper, or his order, on account of flour and beef purchased for the use of the army, agreeable to a bill of Joseph Trumbull, commissary general in his favor on the president of Congress, dated 5th of July instant.

That 2000 dollars be advanced to colonel Armand de la Rouerie, for the recruiting service; for which he is to be accountable.

Congress was resolved into a committee of the whole to consider farther the contract made with Mons. du Coudray, and the papers referred to them, and after some time the president resumed the chair, and Mr. Harrison reported that the committee have had under consideration the papers referred to them, but not having yet come to a conclusion desire leave to sit again.

Resolved, That Congress be resolved to-morrow into a committee of the whole, to consider farther the contract and papers aforesaid.

Ordered, That the several committees who have any letters or papers tending to throw light on the subject before the committee of the whole, lay the same before Congress to-morrow, that they may be referred to the said committee.

The delegates of North-Carolina laid before Congress a resolution passed by the senate and house of commons of that state, that the artillery company in that state may be taken into the pay of the continent:

Ordered,

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That 16087 dollars be advanced to major Charles Sims, of the 12th Virginia regiment commanded by colonel William Ruſſell, to pay off a part of the ſaid regiment now ordered on ſervice to Billingſport; the ſame to be charged to the regiment.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

FRIDAY, *July* 11, 1777.

A letter of the 10th from general Waſhington, at Morriſtown, and one of the 9th from Joſeph Trumbull, incloſing a copy of a letter of the 22d of June from W. Aylett, were read.

Congreſs reſumed the conſideration of the report of the board of war of the 16th June; whereupon

Reſolved, That Mr. John Baynton, be appointed deputy paymaſter general to the troops and garriſons on the frontiers of Virginia and Pennſylvania, and that ſuch parts of his letter to the board of war as relate to money, be referred to the board of treaſury.

Ordered, That an extract of general Waſhington's letter of the 10th, ſo far as it relates to general Arnold, be ſent to him, and that he be directed to repair immediately to head quarters and follow the orders of general Waſhington.

Ordered, That the letter from general Waſhington, with the papers incloſed, be referred to the board of war, and that they be directed to confer with the general officers in and near Philadelphia.

Congreſs was reſolved into a committee of the whole to conſider farther the contract made with Monſ. du Coudray, and the papers referred to them, and after ſome time the preſident reſumed the chair, and Mr. Harriſon reported that the committee have had under conſideration the papers referred to them, and have made ſome progreſs, but not having come to a concluſion deſire leave to ſit again.

Reſolved, That Congreſs be to-morrow reſolved into a committee of the whole, to conſider farther the papers aforeſaid.

A letter of the 9th from general Waſhington, at Mor-

riſtown; one of the ſame date from Joſeph Trumbull; one of the 10th from Charles Stewart; one of the 5th from general Schuyler, incloſing three letters from general St. Clair, at Ticonderoga; one dated the 30th of June; one the 2d and one the 3d of July, and the proceedings of a court martial on ſerjeant Nicholas Kent; were read:

Ordered, That the letter from general Schuyler, with the papers incloſed, be referred to the board of war.

Reſolved, That a committee of three be appointed to proceed immediately to the army under the command of general Waſhington; that they be authoriſed and directed to make a diligent enquiry into the ſtate of the army, particularly into the cauſes of the complaints in the commiſſary's department, and to make ſuch proviſion as the exigency and importance of the caſe demands; that they report the whole of their proceedings for the conſideration of Congreſs with as much diſpatch as poſſible:

The members choſen, Mr. P. Livingſton, Mr. Gerry, and Mr. Clymer.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *July* 12, 1777.

A petition from Monſ. du Coudray, was read:

Ordered, That it be referred to the committee of the whole Congreſs.

A petition from Samuel Culbertſon was read:

Ordered, That it be referred to the board of treaſury.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That the amount of Daniel Barry's account for his ſervices as an interpreter to ſundry French officers from North Carolina to Philadelphia, and for his expences here and returning home, is 69l. 13s. 10d. of which he received at Newburn 20l. and from governor Henry of Virginia, 10l. and that the balance due to him is 39l. 13s. 10d. equal to 105 76·90 dollars."

Ordered, That the ſaid balance be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That 500 dollars be paid to Gerard W. Beekman, in diſcharge of general Waſhington's draught on William

William Palfrey, esq; paymaster general, in favour of Nathaniel Sacket, the said bill being transferred to the said Beekman, and to be charged to William Palfrey, esquire.

That there be advanced to Jacob Blount, esq; paymaster of the North-Carolina battalions, and to be delivered to William Blount, esq; or his order, 10,000 dollars for the pay of the said battalions, and for which the said paymaster is to be accountable; the same to issue by two warrants, one for 6,500 dollars, and the other for 3,500 dollars:

That there be advanced to doctor William Shippen, director general of the hospitals, 8000 dollars, for which he is to be accountable:

That Alexander Ross's bill on John Dorsius, in favour of Willing, Morris, and Co. dated Boston June 24th, for 10,000 dollars, be taken up by the secret committee on the credit of the said John Dorsius, who acts as agent of the said secret committee; and that a warrant issue from the president on the loan office of Massachusetts-Bay, for that sum in favour of Willing, Morris, and Co. the secret committee to be charged therewith.

Congress was resolved into a committee of the whole, to consider farther the contract made with Mons. du Coudray, and the papers referred to them; and after some time the president resumed the chair and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon which he was ordered to report, but not having come to a conclusion desired leave to sit again.

The resolutions agreed to by the committee of the whole were read:

Ordered to lie on the table.

Resolved, That Congress be on Monday next resolved into a committee of the whole, to consider farther the papers referred to them.

A letter of the 11th and 12th from general Arnold, was read.

The board of war brought in a report, which was taken into consideration; whereupon

Resolved, That general Washington be informed that there are about 1400 men at Philadelphia and Billingsport, ready to march at a moment's warning, but wait his orders; which he will please on receipt of the express to transmit to brigadier general Nash:

That it be ſtrongly recommended to the governments of the ſtate of New-York, and the eaſtern ſtates, to ſend ſuch reinforcements of militia to the armies under general Waſhinton, or general Schuyler, as ſhall be from time to time requeſted:

That ſerjeant Nicholas Kent, condemned to be ſhot for deſertion to the enemy, and recommended to the mercy of Congreſs by general Schuyler, and a number of other reputable perſons, be, notwithſtanding the atrocionſneſs of his crime, pardoned; as there are peculiar circumſtances of mitigation attending his caſe:

That Congreſs approve of the commiſſioners for Indian affairs purchaſing Indian goods at Boſton, as mentioned in general Schuyler's letter of the 5th, and that he be informed no ſupply of blankets or ſtrouds can be ſent him from hence.

That a continental muſter-maſter be immediately ordered to muſter the militia employed on the works at Billingſport:

Ordered, That the remainder of the report lie for farther conſideration.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *July* 14, 1777.

A letter of the 12th from general Waſhington, at Pumpton plains; one of the ſame date from general Sullivan, at Ramapaugh; and one from colonel Spotſwood, of the 10th regiment of Virginia forces, were read:

Ordered, That the letter from colonel Spotſwood be referred to the board of war.

Reſolved, That general Naſh proceed immediately with the Virginia and North-Carolina troops, together with colonel Proctor's corps of artillery, to join general Waſhington.

Congreſs took into conſideration the letter of the 11th and 12th, from general Arnold; and after debate

Reſolved, That it lie for farther conſideration.

A letter of this day from general Arnold, was read.

Ordered, That the letter from general Waſhington be referred to the committee of intelligence, and afterwards to the board of war.

A letter from the governor of Virginia, to the delegates of that ſtate, was laid before Congreſs and read:

Ordered,

Ordered, That it be referred to the board of treaſury.

Ordered, That the letter from general Sullivan be referred to the board of war.

Ordered, That two months pay be advanced to Monſ. de la Balme, and to Monſ. Vallenais, his aid, each to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That there is due for the pay of four companies of city guards from the ſecond of June to the ſecond of July inſtant, and to be paid to colonel Lewis Nichola, 2245 2-90 dollars:

Ordered, That the ſaid ſum be accordingly paid.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

TUESDAY, *July* 15, 1777.

A memorial from James Byers, and one from Herman Zedwitz, and an application from colonel Proctor, were read:

Ordered, That the firſt be referred to the marine committee; and the two laſt to the board of war.

Ordered, That the board of treaſury prepare and report to Congreſs, a draught of inſtructions to the paymaſter and deputy paymaſters general of the reſpective departments, for regulating the advances to be made to the recruiting officers of the battalions in the ſervice of the United States.

Congreſs was reſolved into a committee of the whole, to conſider farther the contract made with Monſ. du Coudray, and the other papers referred to them; and after ſome time the preſident reſumed the chair, and Mr. Harriſon reported, that the committee have had under conſideration the papers referred to them, but have come to no farther reſolution thereon.

Reſolved, That a committee of three be appointed to confer with Monſ. du Coudray; that they inform him, Congreſs cannot comply with the agreement he has entered into with Mr. Deane; but that ſenſible of the ſervices he has rendered theſe ſtates, and having a favourable opinion of his merit and abilities, they will cheerfully give him ſuch rank and appointments as ſhall not be inconſiſtent with the honor and ſafety of theſe ſtates, or interfere with the great duties they owe to their conſtituents:

Ordered,

Ordered, That the appointment of the committee be poſtponed till to-morrow.

A plan of the works at Billingſport was laid before Congreſs:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That there be paid to Matthew Irwine, agent to the commiſſary general of purchaſes, 50,000 dollars in diſcharge of a bill drawn by him on the preſident of Congreſs dated 27th June towards ſupplies for the army, the ſaid commiſſary general to be accountable:

That there be advanced to captain William Beal, of the 6th Maryland regiment, commanded by colonel Otho Williams, 400 dollars, for the uſe of a detachment of the ſaid regiment now on their march to join the army, and for which the ſaid regiment is to be charged:

That there be advanced to major general Arnold, 2700 dollars, for which he is to be accountable:

That there be advanced to Mr. John Baynton, deputy paymaſter general for the troops on the weſtern frontiers, 15,000 dollars, for the pay of the ſaid troops, and for which he is to be accountable:

That there be advanced to captain Jacob Weaver, of an independent company of foot, raiſed in Pennſylvania for the continental ſervice and ſtationed at Lancaſter, 2000 dollars, for which he is to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *July* 16, 1777.

Congreſs proceeded to the election of a committee to confer with Monſ. du Coudray, and the ballots being taken the following gentlemen were elected:

Mr. Heyward, Mr. J. Adams, and Mr. Lovell.

The marine committee brought in a report, which was taken into conſideration; whereupon

Reſolved, That the pay and ſubſiſtence of ſurgeons in the navy be equal to the pay and ſubſiſtence of the lieutenants of the veſſels to which they ſhall reſpectively belong.

Reſolved, That the marine committee be impowered to fit out two fire ſhips at the continental expence.

Congreſs took into conſideration the report of the board of war of the 23d of June laſt; whereupon

Reſolved,

Resolved, That for carrying into execution the resolve respecting colonel Nicola's corps of invalids, the following plan for raising one company be adopted for raising the whole of the said corps;

1. That the director general of the continental hospital be desired to give directions to the physicians and surgeons in the different departments at a reasonable distance from Philadelphia that before they discharge any serjeants, corporals, or private men from the hospitals as unfit for service, they consider whether such men are actually, or likely soon to be, capable of doing garrison duty, and if thought so to mention it in the discharge, that they may not be entirely discharged from the service, but transferred from the regiment to which they actually belong to that of invalids; and in case such men are at a distance from their respective regiments, that the director or steward of each hospital send such men to Philadelphia, in the best manner circumstances will admit:

2. That notice be sent by the board of war to the generals commanding the armies, of the raising a corps of invalids, and they be desired to give orders to the officers commanding regiments, that in case they have any serjeants, corporals, drummers or private men, deemed incapable of doing field duty, such men be examined by the director of the hospital or some other physician or surgeon, and if judged fit for garrison duty that they be not discharged, but transferred to the invalid corps and sent to Philadelphia as soon as possible.

Men having only one leg or one arm each, if otherwise capable of doing garrison duty, are to be deemed proper recruits for this corps.

3. That the following advertisment be published in the several news-papers as soon as possible, viz. "War-Office, June 1777. Congress being desirous to make provision for such men as suffer in the military service of the United States, have directed a regiment of Invalids to be immediately raised for the reception of such as have already been or may in future be rendered by wounds or disorders incapable of doing field duty, but are yet fit for garrison service. Notice is hereby given, that all persons in Philadelphia or within 20 miles round, who are under continental half pay on account of incapacities contracted in the service, must within fifteen days repair to Philadelphia and shew themselves to colonel Nicola, in Front-street four doors below the coffee-house, that if judged capable of duty they may be put on full pay. All other persons who have served in the armies of the United States within the above description, though not

not on half pay, may prefent themfelves, and if judged capable they will be immediately received. All fuch as are above twenty miles from Philadelphia muft apply to the neareft continental general, field officer, phyfician or furgeon, who are defired to forward fuch as they judge fit for the corps of Invalids. Officers, who from wounds or diforders contracted in the fervice, are rendered unfit for field duty, muft fignify their pretenfions, with certificates from continental phyficians or furgeons to the board of war. As this corps is intended not only as a provifion for difabled officers and foldiers, but as a fchool for propagating military knowledge and difcipline, no officers need apply but fuch as produce ample certificates of their having ferved with reputation, and having fupported good characters, both as citizens and foldiers. Officers and foldiers who have engaged during the war will be preferred :"

Refolved, That Enoch Welfh be appointed an Enfign in the corps of invalids.

Ordered, That 880 dollars be advanced to captain Matthews who is under orders to go to Virginia on the recruiting fervice, and that the fame be charged to the 4th battalion of Virginia forces, commanded by lieutenant colonel Lawfon.

A letter of the 15th from John M'Kinly, prefident of the ftate of Delaware, was read.

The committee on the treafury brought in a report, which was taken into confideration : whereupon,

Ordered, That 20,000 dollars be advanced to Col. Benjamin Flower, commiffary general of military ftores, for which he is to be accountable :

That there be advanced to Mr. Anthony Butler, agent to major general Mifflin, quartermafter general, 100,000 dollars, agreeable to the quartermafter general's draught on the prefident of Congrefs, dated the 10th inftant, and for which money the quartermafter general is to be accountable :

That there be advanced to the prefident and fupreme executive council of the commonwealth of Pennfylvania, on their application for that purpofe, 60,000 dollars, for which the faid commonwealth is to be accountable.

The board of war, to whom the plan of the works at Billingfport was referred, brought in a report, which was confidered ; whereupon

Refolved, That Monf. du Coudray's plan of the 14th inft. of the fort at Billingfport be approved and immediately carried into execution.

A letter of the 14th from general Waffhington at Vanauler's, eight

eight miles from Pumpton plains; and one of the 6th from Richard Varick, deputy muſter-maſter general in the northern department, were read:

Ordered, That the letter be referred to the board of war.

Ordered, That the board of war lay before Congreſs as ſoon as poſſible a liſt of the foreign officers in the ſervice of the United States, with an account of the relative rank they held in the armies of the king of France or other European power, and the rank they now holds.

A memorial from monſ. du Portail and other engineers, together with obſervations on the treaty made with them in France, were read.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *July* 17, 1777.

A letter of the 16th from general Waſhington, dated Camp near the Clove, and of this day from monſ. du Coudray, were read.

The committee appointed to confer with monſ. du Coudray reported verbally that they have executed that buſineſs, and communicated to him the reſolution of Congreſs:

Ordered, That the ſaid committee take into conſideration the ſituation of monſ. du Coudray, and report what propoſals it will be proper, in their opinion, for Congreſs to make him:

Reſolved, That two more members be added to the ſaid committee;

The members choſen, Mr. Morris and Mr. Wilſon.

A memorial from a committee of the truſtees of the college in New-Jerſey, was read:

Ordered, That it be referred to the board of war.

Monſ. du Coudray having applied by a letter to the preſident for the articles of agreement entered into between him and Mr. Deane, and the bundle of original papers referred to in his account, which he delivered to the committe on foreign applications, and which were by them laid before Congreſs;

Ordered, That the ſaid papers be delivered to him by Mr. Lovell, one of the members of the committee on foreign applications.

Ordered, That a letter be written to the executive powers of the ſtates not repreſented in Congreſs, informing them that the confederation of the ſtates and ſeveral other important matters are put off for want of a full repreſentation of all the ſtates;

and earneſtly recommending it to them to ſend a ſufficient number of members to repreſent them as ſoon as poſſible.

Congreſs took into conſideration the memorial of monſ. du Portail and the other engineers, and thereupon,

Reſolved, That the prayer of the ſaid memorial for a rank higher than that agreed on in the treaty made with them by meſſ. Franklin and Deane, at Paris, be not complied with.

Ordered, That the board of treaſury examine the accounts of the ſaid engineers, and report a draught of money in their favour:

A memorial from baron Holtzendorf, together with a treaty made with him by Silas Deane, Eſq; at Paris, 25th Nov. 1776, was read, and the ſame being taken into conſideration, it was thereupon

Reſolved, That the ſaid treaty be agreed to ſo far only as to make the ſaid baron Holtzendorf a lieutenant colonel in the ſervice of the United States, and that his pay commence from the date of the ſaid agreement.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That in lieu of the advance ordered on the 12th to be made to doctor W. Shippen, director general of the hoſpital, a warrant be drawn on the loan officer in the ſtate of Connecticut, in his favour, for 8000 dollars, for which the ſaid doctor Shippen is to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

"That there is due, to captain Jacob Fauns, of lieutenant colonel John Lawrence's battalion of the flying camp, for ſubſiſtence of the recruits of his company while recruiting, from the 27th Auguſt to the 20th September, 1776, 56 37-90 dollars:

To James Aitken, his pay and rations as chaplain to the 4th North Carolina regiment, from the 1ſt July to the 14th Aug. being one month and an half, at 41 1-3 dollars per month; alſo an allowance of two dollars a day for 30 days, allowing him for his expences returning to North-Carolina, amounting in the whole to 122 dollars:"

Ordered, That the ſaid accounts be paid.

Congreſs took into conſideration the report of the board of war of the 2d and 3d inſtant; whereupon

Reſolved, That general Spencer be informed, in anſwer to his letter of the 20th May, that Congreſs confirm the appointment by him of William Peck, Eſq; deputy adjutant general

neral to the militia and ſtate troops of Rhode-Iſland, kept in continental pay; that for money to pay the ſaid troops he is to make application to Ebenezer Hancock, eſq; at Boſton, deputy paymaſter general to the troops in the eaſtern department; and that, as the quarter-maſter general has the appointment of all his deputies, application is to be made to him for the appointment of a deputy quarter-maſter general.

Reſolved, That Congreſs approve of general Schuyler's conduct as to captain Whitcomb's corps of rangers, and that 3066 2-3 dollars, the ſum the general has paid over the uſual bounty allowed by Congreſs, be charged to the ſtate of Maſſachuſetts-Bay; and that the corps be conſidered as part of their quota of continental troops:

That Congreſs approve and ratify general Schuyler's engagements to the men draughted out of the regiments at Ticonderoga to act as artillery men:

That general Schuyler be directed to inform the French gentlemen mentioned in his letter of the 25th June laſt, that Congreſs will promote them when they receive authentic intelligence of their meriting promotion by ſome ſignal ſervices, and that in the mean time general Schuyler be impowered to grant them ſuch pay as he ſhall think they reſpectively deſerve, not exceeding that of a captain.

Ordered, That in conſideration of the ſcarcity of ſalt, and the quantity neceſſary for the ſupply of the army, the committee of commerce take the moſt effectual and ſpeedy meaſures for importing into different parts of this continent large quantities of that article, and that the commiſſary general of purchaſes be informed of this order.

Congreſs took into conſideration the report of the board of war reſpecting the rank of officers in the ſervice of the United States:

Ordered, That a copy of the ſaid report be tranſmitted to general Waſhington, who is deſired to peruſe the ſame and give his ſentiments thereon, and objections, if any he has, to Congreſs.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *July* 18, 1777.

A petition from John Riordon, of the iſland of Santa Croix, who came from thence to Philadelphia in a flag of truce, was

read, praying for leave to go to New-York to obtain from admiral Howe a permit to sail with his vessel.

Ordered, That leave be granted him by the board of war, he giving them a parole on the terms by them prescribed.

A letter of the 29th of June from W. Aylett, at Williamsburg, was read:

Ordered, That the president inform Mr. Aylett that Congress approve of his giving colonel Braxton the price he agreed with him for the 3000 barrels of flour.

A letter and memorial from Monf. du Coudray was read:

Ordered to lie on the table.

Resolved, That three gentlemen, not members of Congress, be appointed to conduct the business of the board of war, under the direction of the present board:

That Tuesday next be assigned for appointing the said gentlemen.

A petition from James Le Mare was read:

Ordered, That the same, together with the papers accompanying it, be referred to the committee of commerce.

Resolved, That the case of persons applying for leave to go to New-York, be referred to the board of war, who are directed to take such precautions, and lay those to whom they shall think fit to grant liberty under such restrictions, as they judge proper to prevent their giving intelligence to the enemy.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *July* 19, 1777.

A letter of the 16th from general Washington at the Clove, and one of the 11th from general Spencer at Providence, were read, giving an account of the capture of major general Prescot:

Ordered, That they be referred to the committee of intelligence.

A letter of the 18th from colonel Proctor, with a list of the officers of his corps, was read, requesting, as the said corps is transferred by the supreme executive council of Pennsylvania and taken into the service of the continent, that continental commissions and warrants be granted to the officers in lieu of the commissions formerly issued to them by the council of safety of the said state:

Ordered, That commissions and warrants be granted to the said officers, and that they bear the same date as those issued to them by the state.

Ordered

Ordered, That 1749 50-90 dollars be advanced to captain James Henry, of the 5th Maryland regiment, commanded by colonel Richardſon, for the uſe and to be charged to the account of the ſaid regiment.

Reſolved, That major general Putnam be directed to cauſe, without delay, a return to be made to the board of war of the troops under his command.

Reſolved, That it be referred to the board of war to take into conſideration the ſervices performed by lieutenant colonel Meiggs, and lieutenant colonel Barton, and the troops under their command, and report what marks of honor it will be proper to beſtow upon them for their gallant exploits and meritorious ſervices.

Ordered, That the report of the committee appointed to enquire into the conduct of the enemy, with the affidavits annexed, be publiſhed in a pamphlet, and that 4000 copies in Engliſh and 2000 in German be ſtruck off and diſtributed through the ſeveral ſtates.

Ordered, That the committee aforeſaid continue their enquiries, and in caſe they come to the knowledge of other facts well atteſted before the ſaid publication is made, that they annex them to the pamphlet by way of appendix.

The committee on foreign applications brought in a report, which was taken into conſideration, and after debate the determination thereof, at the requeſt of a ſtate, was poſtponed to Monday next.

The board of war reported, "that they have examined into the matters ſet forth in the depoſition of Thomas Mc Arthur, relative to the purchaſe of horſes by a certain Davis, and although it appears from Davis's confeſſion that the facts as to taking receipts for more than the ſums actually paid are true, yet whatever might have been intended by the ſaid Davis, who was of opinion that the horſes were intended for the public, it does not appear that Davis was authoriſed to purchaſe the ſaid horſes for the uſe of the United States, nor were the horſes ever delivered to any perſon employed in the ſervice of theſe ſtates."

Ordered, That 1600 dollars be advanced to Mr. Thomas Butler, public armourer, for the uſe of his department, he to be accountable.

The board of war brought in a further report; whereupon

Reſolved,

Resolved, That the memorial of "a committee of the trustees of the college of New-Jersey," which was committed to the board of war, be referred to the quarter-master general, and that he be directed immediately to give such orders on the premises as may for the future prevent any just cause of complaint:

Resolved, That the petition of Thomas Belton be dismissed:

Resolved, That the farther consideration of the report be postponed.

Congress took into consideration the report of the board of war of the 10th instant; whereupon

Resolved, That the artillery company of the state of North-Carolina be taken into the pay and service of the continent, as part of the quota of the troops to be raised by that state, and that they be ordered to march and join general Washington.

Ordered, That the remainder of the report lie for farther consideration.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, to William M'Creigh and Richard Gornell, two deserters from the enemy, for their two muskets, amounting to 28 dollars, delivered to colonel Moylan at Woodbridge, of whom they received one dollar, 27 dollars.

Ordered, That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration, whereupon

Ordered, That there be advanced to captain Eichelberger, of one of the 16 battalions, commanded by colonel Hartley, 800 dollars, to be charged to the said battalion:

That a warrant be drawn by the president on the deputy paymaster general in the southern department, in favour of major Seth John Cuthbert, for 1000 dollars, to be charged to the state of Georgia:

That a warrant be drawn on John Gibson, esquire, in favor of colonel John White, for 15,000 dollars, for the use of his regiment, to be charged to the state of Georgia:

That a warrant be drawn on John Gibson, esquire, in favour of William Blount, esquire, acting paymaster to the North-Carolina brigade, for 5000 dollars, to be charged to Jacob Blount, esquire, paymaster to the North-Carolina troops:

That

That a warrant be drawn on John Gibſon, eſquire, in favour of the delegates of Georgia, for 2200 dollars, to be charged to the ſaid ſtate.

That there be advanced to Auguſtus Mottin de la Balme, 307 45-90 dollars, being for two months advance pay as inſpector of cavalry, and for a horſe:

That 220 dollars be advanced to captain Valanais, aid to monſ. de la Balme, for two months advance pay, and for a horſe:

That a warrant be drawn by the preſident on the commiſſioner of the loan office in the ſtate of Maſſachuſetts-Bay, in favor of the delegates of South-Carolina, for 100,000 dollars, to be charged to the ſtate of South-Carolina.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *July* 21, 1777.

Mr. Folſom, from New-Hampſhire, and Mr. Chaſe, from Maryland, attended and took their ſeats.

A letter from colonel Johnſon, colonel Humpton, and colonel Broadhead, and the other field officers of their battalions of Pennſylvania forces, was read, recommending doctor Jones to be brigade chaplain to thoſe three battalions.

The committee appointed to conſider what propoſals ought to be made to Monſ. du Coudray, brought in a report, which was read, and after debate,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

A letter of the 18th from general Waſhington, incloſing a copy of a letter of the 14th to him from general St. Clair at Fort Edward, with the copy of the proceedings of a council of war for evacuating Ticonderoga and Mount Independence, was read:

Ordered, That the letter from general St. Clair, with the paper incloſed, be committed to the committee of intelligence and afterwards that the ſame, together with the letter from general Waſhington and the papers incloſed, be referred to the board of war.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

TUESDAY,

TUESDAY, *July* 22, 1777.

Mr. Henry Laurens, from South-Carolina, and Mr. Cornelius Harnet from North-Carolina, attended and took their ſeats.

A letter of the 20th from brigadier Forman; one of the 11th from governor Henry; one of the 15th from brigadier general Conway and the field officers of his brigade; one of the 18th from Alexander Mc Donald of Kingſburgh, and one from William Edmeſton, major of the 48th regiment, and ſundry other officers priſoners at Reading; and one of the 8th, from brigadier general Howe, were read.

Ordered, That the letters from A. Mc Donald and the priſoners at Reading, and that from brigadier general Howe, be referred to the board of war:

That the letter from governor Henry be referred to the board of treaſury, and that colonel W. Finnie lay his accounts before the ſaid board, who are to proceed to the liquidation and ſettlement of the ſaid accounts.

A letter of the 5th from doctor Rickman to Mr. Harriſon, was laid before Congreſs and read:

Ordered, That it be referred to the medical committee.

The board of war brought in a report, which was read, and after debate

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The order of the day for appointing three gentlemen to conduct the buſineſs of the board of war, was read:

Ordered, That the appointment of the ſaid gentlemen be poſtponed to Tueſday next.

Congreſs reſumed the conſideration of the report of the committee on foreign applications; whereupon

Reſolved, That the chevalier du Portail, colonel of engineers, take rank and command of all engineers heretofore appointed.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That there be advanced to monſ. du Coudray 2666 2-3 dollars, for the ſupport of himſelf and the gentlemen who came with him from France; for which monſ. du Coudray is to be accountable:

That a warrant iſſue on the treaſurer to tranſmit from Maryland to the auditor general one million of dollars, for which the ſaid auditor general is to be accountable:

That

That a warrant iſſue on the auditor general in favor of the board of war, for 200,000 dollars, to be tranſmitted to the deputy paymaſter general for the uſe of the Northern department, and for which the ſaid deputy paymaſter general is to be accountable:

That a warrant iſſue on the commiſſioner of the loan office in the ſtate of Pennſylvania for 50,000 dollars, in favor of the auditor general, for which he is to be accountable:

That there be advanced to colonel Auguſtus Motin de la Balme, inſpector general of cavalry, claimed for his and monſ. Ricault's expences to America in the ſervice of the United States, 736 dollars, for which colonel de la Balme is to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

WEDNESDAY, *July* 23, 1777.

A letter of this day from captain Thomas Dorſey was read:

Ordered, That it be referred to the board of war.

Reſolved, That the committee appointed to contract for the caſting of cannon, be directed to deliver to the board of war and ordnance, all the contracts they have made, together with an account of the advances made and cannon received in conſequence of ſuch contracts; and that they be diſcharged from proceeding farther in that buſineſs, and that the board of war and ordnance be veſted with the powers granted to the aforeſaid committee, and that they be directed to attend to the execution of the ſaid contracts, and to take ſuch meaſures as they ſhall judge proper and effectual for procuring a proper ſupply of cannon for the land and ſea ſervice, and that the marine committee apply to the ſaid board for ſuch cannon as they may want for the continental ſhips of war under their direction.

The marine committee having laid before Congreſs a petition from ſundry lieutenants in the navy, which had been ſome time under the conſideration of the ſaid committee, and repreſented, that before any determination was had thereon, a number of the ſaid lieutenants refuſed to proceed in the execution of their duty until what they call their grievances ſhould be redreſſed, as more fully appears by a paper now produced to Congreſs, dated 21ſt of July, directed to John

Barry, eſquire, ſenior commander of the navy in the port of Philadelphia, and ſigned by twelve of the ſaid lieutenants, viz. Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batſon, Luke Matthewman, William Gamble, Thomas Vaughan, Joſeph Greenway, R. Pomoroy, James Armitage; and whereas ſuch combinations of officers to extort increaſe of pay and allowances from the public are of the moſt dangerous tendency: it is neceſſary for the public ſervice to make examples of ſuch offenders; therefore

Reſolved, That the ſaid Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batſon, Luke Matthewman, William Gamble, Thomas Vaughan, Joſeph Greenway, R Pomoroy, and James Armitage, be diſmiſſed the continental ſervice, and they are hereby diſmiſſed accordingly, and their commiſſions rendered void and of none effect.

Reſolved, That the ſaid Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batſon, Luke Matthewman, William Gamble, Thomas Vaughan, Joſeph Greenway, R. Pomoroy, and James Armitage, be, and they are hereby, rendered incapable of holding any commiſſion or warrant under the authority of the United States, and that it be recommended to the ſeveral ſtates not to employ any of them in any office civil or military.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolutions:

Whereas no continental general officer is ſtationed in or near the commonwealth of Virginia, which prevents the iſſuing of money for the public ſervice out of the military cheſt in the ſouthern department: therefore

Reſolved, That colonel David Maſon be authoriſed to draw warrants upon the deputy paymaſter general of the ſaid department for public ſervices ariſing in the ſaid commonwealth, until a general officer be ſtationed there, always ſpecifying in ſuch warrants the particular uſes for which the money ſo drawn ſhall be intended or applied for.

Ordered, That there be advanced to colonel Louis du Portail, chevalier Derford, 375 dollars: to lieutenant colonel

colonel la Radiere, Baileul, 300 dollars; and to major Gouvion Obry, 250 dollars; for which ſums they are reſpectively to be accountable.

Reſolved, That the ſecret committee be impowered to contract with bakers to bake into biſcuit for the uſe of the army the flour which they were ordered to ſell:

That the commiſſary general of purchaſes be directed to have the flour ſtored at Yorktown, Lancaſter, Downingtown and Valley Forge, in Pennſylvania, and which is in danger of periſhing, baked into biſcuit for the uſe of the army.

A letter of the 19th from general Greene, and one of the ſame date from Joſeph Trumbull, were read:

Ordered to lie on the table.

Chriſtopher Ludwig, ſuperintendant of bakers being ſent by general Waſhington to Philadelphia to procure a number of journeymen bakers; and it being repreſented by him that he cannot be ſupplied, as moſt of them are engaged in the militia,

Ordered, That Mr. Ludwig apply to the ſupreme executive council of the ſtate of Pennſylvania, and that it be recommended to the ſaid council to furniſh him with ſuch a number of journeymen bakers out of the militia employed in the ſervice of the continent as he may want.

Ordered, That the letter from general Waſhington to the baron d'Arendt be referred to the committee on foreign applications.

The marine committee brought in a report:

Ordered to lie on the table till to-morrow.

The board of war brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *July* 24, 1777.

A letter of the 22d from general Waſhington at the Clove was read:

Ordered, That a copy of the ſame be ſent to the ſupreme executive council of Pennſylvania.

A petition of Thomas Vaughan was read, wherein he declares that he did not ſign the paper addreſſed to John Barry, eſq;

Ordered, That it be referred to the marine committee.

A petition from Joſeph Philbrick was read:

Ordered, That the ſame, together with the papers incloſed and therein referred to, be committed to the board of treaſury.

Ordered, That the letter from general Waſhington be referred to the board of war, and that they be directed to confer with the executive powers of Pennſylvania, and take immediate and effectual meaſures to carry into execution the views and wiſhes of the general.

Mr. Livingſton, one of the committee ſent to camp, being returned laid before congreſs a letter from general Waſhington to the ſaid committee, which was read and referred to the board of war.

A letter of the 23d, from brigadier Forman was read, informing that the enemy's fleet ſailed yeſterday morning from the Hook

Congreſs reſumed the conſideration of the report from the board of war, and after debate

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due, To William Smith, copperplate printer, for printing loan office certificates at Baltimore from 16th Nov. 1776, to 17th July 1777, and for ſundries he ſupplied for the uſe thereof, 23 59-90 dollars:

To Chriſtopher Ludwig ſuperintendant of bakers, for ſundry expences incurred in the ſaid ſervice, and for his pay for three months, ending the 3d July, 737 36-90 dollars:

Ordered, That the ſame be paid.

A petition from Thomas Bramal and one from Robert Towers were read:

Ordered, That the former be referred to the board of war, the latter to the board of treaſury.

A petition from Luke Matthewman and the other lieutenants of the navy who were yeſterday diſmiſſed the ſervice, and a letter from John Nelſon to the marine committee, were read:

Ordered, That they be referred to the marine committee.

A petition from the chevalier la Radiere was read:

Ordered to lie on the table.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY,

FRIDAY, *July* 25, 1777.

A letter of the 19th from brigadier Muhlenburgh; one of the 2d from the council of Maſſachuſetts-Bay, and an application of the general aſſembly of the ſtate of New-Hampſhire for a ſum of money to redeem the bills iſſued by that ſtate, were read:

Ordered, That the application from the general aſſembly of New-Hampſhire be referred to the board of treaſury.

Congreſs reſumed the conſideration of the report of the board of war, and after debate

Reſolved, That the farther conſideration thereof be poſtponed.

Reſolved, That a committee of five be appointed to take into conſideration the ſtate of Georgia:

The members choſen, Mr. Laurens, Mr. Walton, Mr. Harriſon, Mr. Wilſon, and Mr. S. Adams.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That Congreſs have a juſt ſenſe of the merit of lieutenant colonel Meigs and the officers and men under his command, who diſtinguiſhed their prudence, activity, enterprize and valour, in the late expedition to Long-Iſland; and that an elegant ſword be provided by the commiſſary general of military ſtores and preſented to lieutenant colonel Meigs:

Reſolved, That Congreſs have a juſt ſenſe of the gallant behaviour of lieutenant colonel Barton, of a militia regiment of the ſtate of Rhode Iſland and Providence Plantations, and the brave officers and men of his party, who diſtinguiſhed their valour and addreſs in making priſoners of major general Preſcot, of the Britiſh army, and major William Barrington, his aid de camp; and that an elegant ſword be provided by the commiſſary general of military ſtores and preſented to lieutenant colonel Barton.

Reſolved, That the board of war be impowered to contract with proper perſons to ſupply the army with beer, cyder, vegetables, ſoap, vinegar and ſour crout; and that they be directed to advertiſe in the ſeveral papers, that all perſons whom it may ſuit to ſupply the army with thoſe articles may make their propoſals to the board.

Reſolved, That general Waſhington be impowered to encreaſe the ration of ſoap according to his diſcretion:

That

That ſo much of general Waſhington's letter as relates to an auditor's attending the army to ſettle and adjuſt accounts before warrants be drawn for payment, be referred to the board of treaſury.

That general Waſhington be impowered to appoint Mr. Robert Erſkine, or any other perſon that he may think proper, geographer and ſurveyor of the roads, to take ſketches of the country, the ſeat of war, and to have the procuring, governing and paying the guides employed under him; the general to fix the pay of the ſaid geographer, &c. and the allowance that ſhall be made to the guides.

Reſolved, That the part of the report reſpecting a ſupply of cloathing be re-committed, and that the remainder of the report lie for farther conſideration.

The marine committee having repreſented that the extravagant prices now demanded for all kinds of materials uſed in ſhip building, and the enormous wages required by tradeſmen and labourers, render the building of the ſhips of war already ordered by Congreſs not only exceſſively expenſive, but alſo difficult to be accompliſhed at this time, and that it appears by information lately received that ſome of the frigates have been ſet on the ſtocks in improper places: whereupon

Reſolved, That the marine committee be impowered to put a ſtop to the building of ſuch of the continental ſhips of war already ordered by this Congreſs to be built, as they ſhall judge proper, and to reſume the building of them again when they ſhall find it conſiſtent with the intereſt of the United States ſo to do.

Congreſs took into conſideration a report of the marine committee, on an application of ſundry commanders in the navy; whereupon

Reſolved, That the commanders of continental veſſels of war of ten guns and upwards be allowed 5 1-3 dollars per week for ſubſiſtence while in domeſtic or foreign ports:

That commanders of veſſels under ten guns be allowed 4 dollars per week for ſubſiſtence while in domeſtic or foreign ports:

That commanders of continental veſſels of war of ten guns and upwards be allowed whilſt at ſea 2 2-3 dollars per week for cabin expences:

That lieutenants, ſurgeons, captains of marines, and chaplains, be allowed four dollars a week ſubſiſtence in domeſtic ports,

ports, during such time as the ships they respectively belong to are not in condition to receive them on board;

That the marine committee be impowered to allow such cabin furniture for continental vessels of war as they shall judge proper:

That when agents for the United States, or any persons in authority under them, put passengers on board any continental vessel of war, they shall lay in the necessary stores for their accommodation, to prevent expence and inconvenience to the commanders.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *July* 26, 1777.

A letter of the 25th from general Washington, inclosing a copy of a letter to general Howe, proposing to exchange major general Prescot for major general Lee; and a copy of a letter of the 22d from general Schuyler; a letter of the 24th from J. M'Kinley, esq; president of Delaware; were read:

Ordered, That so much of general Washington's letter as relates to the calling out militia be sent to the executive powers of Pennsylvania and Delaware:

That the letter from general Washington to general Howe be published.

A letter of this day from colonel Proctor, of the artillery, was read; whereupon

Resolved, That an order be drawn on John Gibson, esq; for 3096 dollars in favour of Matthew M'Guire, paymaster to colonel Proctor's regiment, for the use of the said regiment, he to be accountable.

The several matters to this day referrred being postponed, adjourned to ten o'clock on Monday.

MONDAY, *July* 28, 1777.

A letter of the 25th from general Washington, inclosing one of the 22d from William Franklin, in Litchfield goal, Connecticut; also another letter without date from general Washington at the Cross Roads, 16 miles from Morristown; one of the 17th from the council of safety of New-York, at Kingston, with resolutions passed by the said council; and a letter of the 27th from Monsr. du Coudray; were read.

Congress took into consideration the letter of the 25th from general Washington, and that from W. Franklin, desiring leave to go to New-York to visit his wife, who is in a declining state of health; whereupon

Resolved,

Resolved, That a certified copy of the certificate granted by William Franklin, esquire, whilst under a parole, to Robert Betts, be transmitted to general Washington, and that he be desired to inform Mr. W. Franklin, that after such a violation of so sacred a tie as that of honor, Congress cannot think it consistent with the safety of the states to permit him to have an opportunity of conferring with our open enemies under any restriction whatsoever.

Resolved, That the board of war be impowered to purchase such powder and military stores offered for sale in any of these states as they may judge necessary for the public service.

Resolved, That the marine committee be impowered and directed to provide and get ready, with all possible expedition, ten fire ships, to be under the direction of the commodore commanding in the river Delaware.

The marine committee, to whom was referred the petition of the lieutenants of the ships of war now in the port of Philadelphia, reported, "That they have called in before them the signers of the said petition, who acknowledged in the most explicit manner that the offence for which they were dismissed is highly reprehensible, and could not be justified under any circumstances or on any pretence whatever, and that they were exceeding sorry for the rashness which betrayed them into such behaviour:" whereupon

Resolved, That the said lieutenants be restored to their former rank and command.

Resolved, That it be recommended to the executive council of the state of Pennsylvania to call out four thousand of the militia, in addition to those already called forth; and as their service is immediately wanted, that they call forth such as can be soonest collected.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *July* 29, 1777.

A letter of the 28th from Joseph Trumbull, esq; was read:

Ordered, That it be referred to the board of treasury.

Ordered, That the letters of the 15th and 23d from J. Mc Kinley, esquire, president of the state of Delaware, be referred to the board of war.

Resolved, That an enquiry be made into the reasons of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation:

That

That a committee be appointed to digeſt and report the mode of conducting the enquiry.

A letter of the 12th from P. Philips at Providence, was read, wherein he informs Congreſs that his infirm ſtate of health obliges him to decline the office of commiſſary of hides with which Congreſs honored him; whereupon

Reſolved, That his reſignation be accepted.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *July* 30, 1777.

A petition from lieutenant colonel Jotham Loring, was read, ſetting forth that in the Danbury expedition, in which he was principally engaged, he had a horſe killed, and praying that another horſe may be granted to him to make up his loſs:

Ordered, That it be referred to the board of war.

The governor of Virginia having repreſented, that Robert Smith and Alexander Telfair, two of the gentlemen appointed to audit and ſettle the accounts of Virginia againſt the United States, have declined acting,

Reſolved, That Whitmell Hill and Eaton Haynes, eſquires, be appointed in their room, and that they and Wyllie Jones, eſquire, or any two of them, be impowered to act.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That the account of William Finney, deputy quarter-maſter general, for ſundries furniſhed for the uſe of the quarmaſter general's department, amounts to 170,331 35-90 dollars: that he has received from B. Harriſon, eſquire, deputy pay maſter general, 154,543 78-90, and for ſundry diſabled horſes, wooden tents and goods ſold by him, 10,277 50-90 dollars; and that there is a balance due to him amounting to 5509 87-90 dollars: that it is the opinion of the board of treaſury there be allowed to him for extra ſervices in purchaſing cloathing and neceſſaries, and for iſſuing them and diſpoſing of ſuch articles as were unfit for uſe, the ſum of 1000 dollars, making in the whole 6509 87-90 dollars: whereupon

Reſolved, That there be paid to colonel William Finney, deputy quarter-maſter general for the ſouthern department, 6509 87-90 dollars, being the balance of his accounts with the United States as ſettled by the commiſſioners at the treaſury office, under the direction of the committee of the treaſury, and that the ſaid committee be authoriſed to diſcharge the ſaid deputy quarter-maſter general upon the ſaid account accordingly.

In consequence of an adjustment by the commissioners of claims, the auditor general farther reports,

That there is due, To Robert Jewell, for subsisting prisoners in the new jail, for fire wood, candles, &c. and for his and his two assistants' pay from the 17th June to the 22d July, 752 83-90 dollars:

Ordered, That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

Ordered, That there be paid to George Clymer, esq; 130 40-90 dollars, for his and Mr. Stockton's expences as a committee of Congress to Ticonderoga between the 27th September and 20th November last:

That there be advanced to colonel Lewis Nicola, of the battalion of invalids, 500 dollars for the use of the said battalion, he to be accountable.

Resolved, That there be allowed to the officers of the cavalry 2 2-3 dollars for their trouble and expence in recruiting every non-commissioned officer and private, and purchasing each horse.

Resolved, That a warrant be drawn on the managers of the lottery for 45000 dollars in favour of the auditor general, for which he is to be accountable.

Resolved, That there be paid to Lewis Casimir de Holtzendorf, retained by Mr. Deane as a lieutenant colonel in the service of the United States, for eight months pay and rations, commencing the 20th November and ending the 20th July, deducting 900 livres which Mr. Deane advanced him, 439 40-90 dollars.

Resolved, That there be advanced to lieutenant colonel Holtzendorf the further sum of 120 dollars, for two months pay, commencing the 20th instant.

The marine committee, to whom a petition from Mary Giddens was referred, brought in a report, which was read; whereupon

Ordered, That the sum of 200 dollars be paid to Mary Giddens, widow of John Giddens, a petty officer, killed on board the Alfred in the engagement with the Glasgow man of war, she being entitled to this sum out of the prize money taken by the squadron during commodore Hopkins's cruize; the cannon and military stores applied to continental use being part of the said prize goods, of which no valuation has been obtained.

Whereas the states of New-Jersey, Pennsylvania and Delaware

ware are in danger of an immediate invaſion from the enemy's army, a powerful fleet being daily expected within the capes of Delaware, and there is the ſtrongeſt reaſon to ſuppoſe that the enemy will endeavour to ſecure without delay all the cattle, horſes and teams which are expoſed to the water, in order to ſubſiſt their army and facilitate their military operations; and whereas the preventing of this meaſure is not only highly conducive to the general weal, but will ultimately tend to ſecure the property of the good people of theſe ſtates from cruel ravages:

Reſolved, That it be recommended to the executive powers of the ſtates of Pennſylvania, New-Jerſey and Delaware, to cauſe the horſes, waggons, carts, cattle, and other live ſtock contiguous to the bay and river Delaware, to be removed into the interior parts of the country whenever the arrival of the enemy's forces at the capes ſhall announce the neceſſity and propriety of ſuch a meaſure.

Reſolved, That all continental officers and officers of militia in continental pay in the ſaid ſtates do afford the ſaid executive powers ſuch aid and aſſiſtance in performing this ſervice as they may require.

A memorial from Bryan Leferty was read:

Ordered, That ſo much of the ſaid memorial as relates to an extenſion of the limits in his parole be referred to the board of war, and that the remainder be referred to the board of treaſury.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That there be paid to colonel Moſes Hazen, 1497 57-90 dollars, for the pay of the field officers and four companies, of which his battalion then conſiſted, from the 18th of June to the 1ſt of November:

That there be paid to Iſaac Guion, eſq; paymaſter to the 9th battalion of continental troops raiſed in North Carolina, on account of the pay of the ſaid battalion, 2500 dollars, for which he is to be accountable:

That there be paid to Iſaac Guion, agent for John Spicer, paymaſter of the ſecond battalion of continental troops raiſed in North Carolina, on account of the pay of the ſaid battalion, 3500 dollars, for which the ſaid paymaſter is to be accountable:

That there be paid to Iſaac Guion, agent for James Spicer, paymaſter of the 5th battalion of continental troops raiſed in

North Carolina, on account of pay for that battalion, 5000 dollars, the ſaid paymaſter to be accountable:

That there be paid to Richard Bradley, paymaſter to the 1ſt battalion of continental troops raiſed in North Carolina, commanded by colonel Thomas Clarke, for one month's pay of the ſaid battalion, 2000 dollars, the ſaid paymaſter to be accountable:

That a warrant be drawn on the continental treaſurer at Baltimore in favor of Stephen Stewart, for the uſe of the ſecret committee, 10,666 2-3 dollars, and to be charged to the ſecret committee:

That 40,000 dollars be paid to Cornelius Sweers, deputy commiſſary of military ſtores, and that the ſame be charged to colonel B. Flower, the commiſſary general of military ſtores.

The committee appointed to take into conſideration the ſtate of Georgia, brought in a report, which was read:

Ordered, To lie on the table for conſideration.

Reſolved, That major general St. Clair, who commanded at Ticonderoga and Mount Independence, be and he is hereby directed forthwith to repair to head quarters.

The ſeveral matters to this day referred being poſtponed adjourned to ten o'clock to-morrow.

THURSDAY, *July* 31, 1777.

A letter of the 30th from general Waſhington at Coryell's ferry; one of the 30th from brigadier Cæſar Rodney at Dover, and one of the ſame date from H. Fiſher at Lewiſtown, informing that the enemy's fleet appeared in the offing about four leagues from the light houſe; were read.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That it be recommended to the executive council of the ſtate of Pennſylvania, forthwith to make priſoners ſuch of the late crown and proprietary officers and other perſons in and near this city as are diſaffected or may be dangerous to the public liberty, and ſend them back into the country, there to be confined or enlarged upon parole as their characters and behaviour may require:

That it be recommended to the ſaid executive council to remove under guard all the ſtate priſoners in the goal of this city to ſome ſafe place back into the country, and

that

that they cauſe the guards to be doubled until the priſoners can be removed:

That it be recommended to the ſaid executive council immediately to order two companies of militia to ſtrengthen the guard over the priſoners at Lancaſter, and alſo two companies of militia to guard the priſoners at Yorktown.

Ordered, That 100,000 dollars be advanced to the ſupreme executive council of the ſtate of Pennſylvania for public ſervice, the ſaid ſtate to be accountable.

Reſolved, That the militia of the ſtates of New Jerſey, Pennſylvania. Delaware and Maryland be immediately called forth to repel any invaſion of the enemy in the ſaid ſtates

Ordered, That 80,000 dollars be advanced to the continental navy board in Pennſylvania for public ſervice, the ſaid board to be accountable.

Reſolved, That the continental navy board be impowered and directed to take ſuch meaſures as they judge neceſſary and expedient for ſecuring the continental veſſels, that cannot be employed in the defence of the river, and alſo for ſecuring the continental property afloat in the river.

Whereas the Marquis de la Fayette, out of his great zeal to the cauſe of liberty, in which the United States are engaged, has left his family and connections, and at his own expence come over to offer his ſervice to the United States without penſion or particular allowance, and is anxious to riſque his life in our cauſe:

Reſolved, That his ſervice be accepted, and that in conſideration of his zeal, illuſtrious family and connections, he have the rank and commiſſion of major general in the army of the United States.

A letter of this day from colonel S Moylan: one of the 25th from general Waſhington, introducing Monſ. d'Aveux to the notice of Congreſs; one of the 8th from governor Henry of Virginia; one of the 27th from colonel Gibſon at Alexandria; one of the 28th from J. M'Kinly, preſident of Delaware; and a letter and memorial from doctor Morgan, were read:

Ordered, That the letters from preſident M'Kinly, brigadier Rodney, governor Henry, and colonel Gibſon, be referred to the board of war; that the letter from general Waſhington, with the papers incloſed, be referred to the committee,

committee on foreign applications, and the memorial of doctor Morgan to the medical committee.

Congress took into consideration the report of the board of war of the 24th; whereupon

Resolved, That it be recommended to the executive authorities of the United States to divide their respective states into districts, and to appoint a proper person in each district to recruit men to fill up the regiments raised in such state; that they take good security of the person so appointed for the faithful discharge of his duty and rendering just accounts of all public monies that shall come to his hands; and that they allow for each able bodied recruit so raised, who shall inlist for three years or during the war, the sum of eight dollars, in full for his trouble and expence; that, where no provision for securing deserters has already been made by the laws of the state, they give to each person so appointed full power to take up and secure all deserters that shall come within their respective districts, and where force is necessary for this purpose, that they direct the officers of the militia to give such assistance as shall be required; that they allow him the sum of five dollars for every deserter so taken up and secured, in full for his trouble and expence therein; and for the encouragement of men to enter the service, they shall have liberty at the time of their enlistment to make choice of the regiment, troop or company in which they will serve, provided such regiment, troop or company is not full; if it is, they may chuse any other regiment, troop or company which is not full, which shall be entered against their names and returned to the officer appointed to receive such recruits, who shall, at the time they are sent to join their corps, transmit the same to the general or commanding officer.

Resolved, That it be recommended to the executive authorities of the United States to appoint convenient places of rendezvous in their respective states for receiving recruits and deserters, and that they transmit to general Washington, with as much expedition as possible, the names of such places of rendezvous, in order that proper officers may be sent to receive recruits and deserters.

Resolved, That general Washington be directed to order all continental officers now absent from their corps forthwith to join them, except only such as the general shall think

think neceſſary to receive recruits and march them to the army.

Ordered, That the two firſt articles in the requiſition of Monſ. du Coudray of the 27th inſtant be referred to the board of war.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *Auguſt* 1, 1777.

A letter of 31ſt July from general Waſhington at Coryell's ferry; one of the 8th April from S. Deane recommending the viſcompte Mouroy; one of the 30th July from brigadier J. Dagworthy; and a memorial from colonel Hazen; were read.

Reſolved, That a committee of three be appointed to examine the letters that have paſſed between the committee of ſecret correſpondence and Mr. Deane, and report thereon to Congreſs, and that the committee meet at the office of the committee for foreign affairs:

The members choſen, Mr. S. Adams, Mr. Wilſon, and Mr. Laurens.

A letter from the baron de Kalb was read:

Ordered, That it be referred to the committee on foreign applications.

Congreſs reſumed the conſideration of affairs in the Northern department; whereupon

Reſolved, That major general Schuyler be directed to repair to head quarters:

That general Waſhington be directed to order ſuch general officer as he ſhall think proper to repair immediately to the Northern department, to relieve major general Schuyler in his command there:

That brigadiers general Poor, Patterſon, and de Roche Fermoy be directed to repair to head quarters.

Reſolved, That the committee to be appointed to digeſt and report the mode of conducting the enquiry into the reaſons of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the officers who were in the Northern department at the time of the evacuation, conſiſt of five:

The members choſen, Mr. Laurens, Mr. J. Adams, Mr. Dyer, Mr. Roberdeau, and Mr. Folſom.

Congreſs took into conſideration the report of the committee on the ſtate of Georgia; whereupon

Reſolved,

Resolved, That one million of dollars be immediately ſtruck and emitted under the direction of the board of treaſury, for the purpoſe of redeeming the certificates and bills of credit iſſued by the ſtate of Georgia for the uſe of the United States, and for ſupporting the continental forces in that ſtate; that 400,000 of the ſaid dollars be ſent to the government of the ſaid ſtate, for ſinking or redeeming the ſaid certificate or bills of credit: that a deputy paymaſter general be appointed in the ſaid ſtate of Georgia, and the remaining 600,000 dollars ſent to him for the uſe of the continental forces.

That the quartermaſter general be directed to appoint a deputy quartermaſter general in the ſaid ſtate, and that he be directed to uſe his utmoſt endeavours to procure tents and other eſſential articles for the uſe of the troops there without delay.

That the clothier general be directed to appoint an agent in the ſaid ſtate, for the purpoſe of ſupplying the troops there with cloaths: that the committee of commerce be directed to order a ſupply of cloathing and other neceſſary articles for the uſe of the troops in the ſaid ſtate:

That a deputy commiſſary general of purchaſes and a deputy commiſſary general of iſſues of proviſions be appointed in the ſaid ſtate:

That brigadier general Howe be directed to ſend a general officer to relieve brigadier general Mc Intoſh in his command in Georgia, and that he aſſign ſome other command to brigadier general Mc Intoſh.

That the commanding officer in the ſaid ſtate for the time being be directed, as he ſhall think it proper, to eſtabliſh a poſt in the ſouthern part of the ſaid ſtate at the moſt convenient and healthy ſituation:

That three perſons in the ſtate of South-Carolina be appointed to audit and ſettle the public accounts in Georgia, and that the auditor general be directed to acquaint them with the method adopted for ſettling public accounts:

Ordered, That to-morrow be aſſigned for nominating, and Monday next for appointing the officers mentioned in the foregoing reſolutions.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *August* 2, 1777.

A letter of this day from Charles Stewart and W. Buchannan was read.

A memorial from Iſaac Jones, in behalf of himſelf and the owners, marines and mariners of the private ſloop of war called the Retaliation, was read:

Ordered, That it be referred to the committee on appeals.

A letter of this day from Joſeph Trumbull at Philadelphia was read, deſiring that he may have leave to reſign his commiſſion of commiſſary general, and informing Congreſs that he cannot conſider himſelf as obliged to hold the office he now acts in longer than the 20th day of this month.

Reſolved, That all proceedings of Congreſs, and all queſtions agitated and determined by Congreſs, be entered on the journal, and that the yea or nay of each member, if required by any ſtate, be taken on every queſtion as ſtated and determined by the houſe.

Reſolved, That Monday next be aſſigned for appointing officers in the commiſſary's department.

Reſolved, That a committee of five be appointed to conſider the ſtate of affairs in the Northern department:

The members choſen, Mr. Laurens, Mr. Wilſon, Mr. J. Adams, Mr. Duane, and Mr. Law.

Ordered, That the committee confer with general Waſhington and report as ſoon as poſſible.

A letter of the 2d from J. Mc Kinley, preſident of Delaware, was read;

Ordered, That it be referred to the board of war.

Ordered, That a warrant for 100,000 dollars be drawn on John Lawrence, eſquire, commiſſioner of the loan office in the ſtate of Connecticut, in favor of Joſeph Trumbull, eſq; for the public ſervice, he to be accountable.

A letter of the 28th of July from governor Trumbull of Connecticut was read:

Ordered, That it be referred to the committee on the Northern department.

The committee for foreign affairs laid before Congreſs ſundry letters, which were read.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SUNDAY, *August* 3, 1777.

A letter of the 24th of July, from general Schuyler at Moſes Creek, four miles below fort Edward; one of the 27th of the ſame month from major general Arthur St. Clair, at the ſame place; were read.

The committee on the ſtate of the Northern department brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be directed to order the general whom he ſhall judge proper to relieve general Schuyler in his command, to repair with all poſſible expedition to the Northern department, giving him directions what numbers of the militia to call forth from the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Connecticut, New-York, New-Jerſey and Pennſylvania:

That notice be immediately ſent to the executive powers of the ſaid ſtates, and that they be earneſtly requeſted to get the militia in thoſe parts of their reſpective ſtates moſt contiguous to the Northern department, ready to march at a moment's warning, and to ſend with all poſſible expedition ſuch parts of them as the general commanding in the Northern department ſhall require, to ſerve till the 15th of November, if not ſooner relieved by continental troops, or diſmiſſed by the commanding officer of the department, and be intitled to continental pay and rations:

That the commanding officer in the Northern department have diſcretionary power to make requiſitions on the ſtates aforeſaid from time to time for ſuch additional numbers of the militia, to ſerve in that department, as he ſhall judge neceſſary for the public ſervice.

Whereas it is repreſented to Congreſs that general Waſhington is of opinion that the immediate recal of all the brigadiers from the Northern department may be productive of inconvenience to the public ſervice:

Reſolved, That the order of Congreſs of the firſt day of this month, reſpecting the ſaid brigadiers, be ſuſpended until general Waſhington ſhall judge it may be carried into effect with ſafety.

Ordered, That the letter from B. Franklin and S. Deane to lord Stormont, and the depoſitions therein referred to, which were among the papers read yeſterday, be publiſhed:

That the committee for foreign affairs extract and lay before

before Congreſs, to-morrow, ſuch other parts of the ſaid letters and papers as they judge proper for publication.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

MONDAY, *Auguſt* 4, 1777.

A letter of the 3d from general Waſhington was read:

Ordered, That it be taken into conſideration at one o'clock.

A letter of the 23d of July from William Sever, eſquire, preſident of the council of Maſſachuſetts-Bay, with a liſt of the troops raiſed by that ſtate; one of the 26th of July from Eliſha Avery, in which he begs leave to decline accepting the office of deputy commiſſary general of iſſues; one of this day from R. Bache; a memoire from Monſ. du Coudray; a memorial from Chriſtopher Ludwig; and a letter of the 25th of July from brigadier de Roche Fermoy; were read:

Ordered, That ſo much of the letter from the council of Maſſachuſetts-Bay as relates to money, be referred to the board of treaſury and the remainder to the board of war; that the letter from Mr. Bache be referred to the board of treaſury; that the memoire from Monſ. du Coudray, the memorial from Chriſtopher Ludwig, and the letter from brigadier de Roche Fermoy, be referred to the board of war.

Reſolved, That a committee of three be appointed to inquire into and report the number of muſquets and field pieces, and the quantity of ſoldiers cloathing imported or manufactured or purchaſed for the uſe of the army, the time of importation and the place, and the perſons to whom delivered, together with the number of arms in the ſeveral magazines under the care of the board of war, the number in the ſtores of the commiſſary general of military ſtores and in the hands of the continental troops, and what number has been loſt or condemned, and that the committee have power to ſend for perſons and papers:

The members choſen, Mr. Chaſe, Mr. Gerry, and Mr. Vandyke.

The committee, to whom the petition of Daniel Bucklin and the memorial of Iſaac Jones were referred, brought in a report, which was taken into conſideration; whereupon

Resolved, That Joseph White, commander of the privateer Revenge, appear before the committee of appeals within forty days after a copy of the petition of Daniel Bucklin and of this resolution is served on the said Joseph White, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the petition should not be granted.

Resolved, That William Dennis, commander of the privateer sloop called the America, appear before the committee of appeals within forty days after a copy of the memorial of Isaac Jones and of this resolution is served upon him the said William Dennis, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the said memorial should not be granted.

A motion was made, "that a committee be appointed to revise the regulations of the commissary's department, *so far as respects the appointment of officers*; that they confer with general Washington on the subject, and report such alterations as they may judge necessary."

A motion was made for postponing the consideration thereof;

Passed in the negative.

It was then moved to amend the motion by striking out "the appointment of officers," and inserting "the salaries to be given and the oaths to be taken by persons employed in the issuing department:" Passed in the negative.

It was then moved to strike out the words "so far as respects the appointment of officers;"

Passed in the negative.

The question being put on the original motion,

Passed in the negative.

Congress took into consideration the letter from general Washington, wherein he wishes to be excused from making the appointment of an officer to command the northern army; whereupon

Resolved, That Congress proceed to the election—

The ballots being taken,

Major general Gates was elected by the vote of eleven States.

Resolved, That general Washington be informed of this appointment, and that he be directed to order general Gates to repair with all possible expedition to the northern department to relieve major general Schuyler.

Ordered, That the remainder of the letter from general Washington

Washington be referred to the committee on the Northern department.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *August* 5, 1777.

In consequence of an adjustment by the commissioners of claims, the auditor general reports.

That there is due, To major William West, for his pay and rations as a captain in the 3d Pennsylvania regiment, from 1st September to 25th October 1776, and for his pay and rations as major from 25th October 1776, to 13th July 1777, 540 56-90 dollars:

To Cornelius Robinson, for his services as an express from brigadier Dagworthy to this place, and for the hire of horses pressed on the road and his expences, 34 30-90 dollars:

To William Hurrie, for his attendance as door-keeper to Congress, for candles, &c. which he bought between 1st May and 31st July, and for 9 days attendance, omitted in his last account, 90 72-90 dollars:

Ordered, That the said accounts be paid.

The board of treasury brought in a report, which was taken into consideration; whereupon

Ordered, That 2000 dollars be advanced to John Cheesborough, paymaster of the 6th regiment of North-Carolina continental troops, for the pay of the said regiment, the said paymaster to be accountable:

Ordered, That the same allowance be made to Bryan Lefferty, one of the hostages from Tryon county for the good behaviour of the inhabitants of the said county, as is ordered by Congress to be made to the Mac Donalds, and that 257 30-90 dollars be paid to Mr. Lefferty accordingly, in full for his subsistence to the 1st instant inclusive.

Ordered, That there be advanced to monsf. du Coudray, for the use of the following gentlemen, who came over with him to America—

Captain Rogers and captain Fleury, each 200 dollars:

Captain Le Brun, captain Vareigne, and captain Toufard, each 250 dollars;

Captain Loyaute and captain Pierre, each 200 dollars:

Lieutenant Le Blanc 250 dollars, and lieutenant Matthio 150 dollars:

Lieutenant Rivau and lieutenant Fonfrede, each 250 dollars:

Lieutenant

Lieutenant Ganot 150 dollars, and lieutenant Matigni, 250 dollars:

Lieutenant Coyeté, lieutenant Pariſy, lieutenant Begard, each 150 dollars:

Lieutenant Pommereul and lieutenant Boſhard, each 150 dollars:

Amounting in the whole to 3600 dollars, to be charged to account of monſ. du Coudray, being advanced on his application.

Reſolved, That a commiſſary of hides be appointed in the room of Peter Philips, eſq; who declines acting:

The ballots being taken,

George Ewing was elected.

Reſolved, That Thurſday next be aſſigned to take into conſideration the propriety of eſtabliſhing a court of appeals.

Congreſs proceeded to the election of officers in the commiſſary's department, and the ballots being taken,

William Buchanan, eſq; was elected commiſſary general of purchaſes.

Reſolved, That the election of other officers be poſtponed till to morrow.

Reſolved, That a committee of three be appointed to take into conſideration the letter from B. Franklin and S. Deane, eſqrs; to lord Stormont, and the depoſitions therein referred to and to report thereon:

The members choſen, Mr. Witherſpoon, Mr. Chaſe, and Mr. Duer.

A depoſition of John Barret, firſt lieutenant of the armed brig Raleigh, late commanded by Edward Travis, eſq; fitted out by and belonging to ſtate of Virginia, was read:

Ordered, That it be referred to the foregoing committee.

The committee on foreign applications brought in a report, which was taken into conſideration; whereupon

Reſolved, That the chevalier de Failly have the rank and pay of major in the army of the United States.

The committee returned from camp brought in a report, which was read.

Congreſs took into conſideration the report of the board of war of the 25th July; whereupon

Reſolved, That captain Dorſey's reſignation be accepted.

The committee on the northern department, to whom general

general Washington's letter was referred, brought in a report, which was taken into consideration; whereupon

Resolved, That the commanding officer in the Northern department be directed to apply to the executive powers of the respective states of New Hampshire, Massachusetts-Bay, Connecticut, New-York, New-Jersey, and Pennsylvania, for such a number of their respective militia as he shall judge sufficient to reinforce the army under his command:

That such militia be intitled to continental pay and rations, and be continued in service until the last day of November next, unless sooner relieved by continental troops or discharged; and that it be earnestly recommended to the executive powers of the said states to exert their most vigorous efforts in complying with the requisition of the said commanding officer without delay, that a speedy and effectual stop may be put to the progress of the enemy in that quarter.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

WEDNESDAY, *August* 6, 1777.

A letter of this day from general Washington was read.

A letter from the continental navy board was read; whereupon

Resolved, That John Rodeg be appointed a second lieutenant in the navy of the United States.

Whereas major general Gates, by virtue of the power and authority to him given and granted by Congress, did, on the first of May last, grant to Louis Jean Baptist Chambaron d'Antignac, the commission of captain in the army of the United States:

Resolved, That a continental commission be granted to him the said Louis Jean Baptist Chambaron d'Antignac, in lieu of the warrant given to him by major general Gates.

A memorial from monf. du Coudray was read:

Ordered, That it be dismissed.

A letter of the 5th from Henrich Klean was read:

Ordered, to lie on the table.

Resolved, That John M'Coomb of Princeton be authorised to act as quartermaster at that place for such detachments of the army as may be passing that way, until the quartermaster general shall give further directions on this subject; and that he take care that no damage be done to the college at that place.

Resolved,

Resolved, That major general Gates inform those states to whom he shall apply for militia, that Congress think it imprudent to adhere to settled quotas which ought to be called forth from each particular state.

Congress proceeded to the appointment of a deputy commissary general of purchases, a deputy commissary general of issues, and a deputy pay master general of Georgia; whereupon

Resolved, That James Roe, esquire, be commissary general of purchases; John Bohun Garardeau, deputy commissary general of issues; and Joseph Clay, deputy paymaster general in Georgia.

Resolved, That general R. Howe be directed to order brigadier M'Intosh to repair with all expedition to head quarters, where his service is necessary.

Resolved, That the sum of four thousand dollars be paid to the officers and men on board every fire ship in the river Delaware, and to the officer and crew of any chain of fire rafts which shall actually set on fire and destroy any one of the enemy's ships of war of twenty guns and upwards; and three thousand dollars for every ship or vessel of war under twenty guns, and fifteen hundred dollars for every transport; the proof of the execution done to be certified by the commodore or commanding officer, or by the oath of such person or persons as may have been witness to the fact.

Resolved, That the rewards aforesaid shall be divded in the following proportions; one fourth to the captain or commander, one seventh to the lieutenant, and the remainder to the crew, to be equally divided among them.

A petition from John Green and Peter Knight was read, praying that they may have leave to enter an appeal against a sentence of a court of admiralty for the state of Georgia on the 20th day of December last, on the libel John White, &c. v. the sloop Polly:

Ordered, That it be referred to the committee on appeals.

Congress proceeded to the election of officers in the commissary's department, and the ballots being taken,

Ephraim Blaine, esquire, was elected deputy commissary general of purchases, in the room of Mr. Buchanan:

Archibald Stewart, esquire, deputy commissary general of issues, in the room of Mr. Hoops, who has resigned:

James Blicker, esquire, deputy commissary of issues, in the room of Mr. Avery resigned.

Resolved, That in case Mr. Blicker decline the office the commanding officer in the Northern department be authorised

to

to appoint another perſon in his ſtead, and inform Congreſs thereof.

Reſolved, That another deputy commiſſary general of iſſues be appointed for the Eaſtern department: the ballots being taken, Samuel Gray, eſquire, was elected.

Reſolved, That the appointment of a deputy commiſſary general of purchaſes, in the room of Mr. Wadſworth, be poſtponed till to-morrow.

The committee on the treaſury brought in a report, whereupon

Ordered, That there be advanced to William Palfrey, eſq; paymaſter general, five hundred thouſand dollars, for the uſe of the army, he to be accountable:

That there be advanced to Richard Bache, eſquire, poſtmaſter general, 2000 dollars, for which he is to be accountable:

That a warrant iſſue in favour of the board of war for 300,000 dollars, to be tranſmitted to Jonathan Trumbull, eſq; deputy paymaſter general in the Northern department, for the uſe of the ſaid department, he to be accountable:

That a warrant iſſue from the preſident on the commiſſioner of the loan office in the ſtate of Maſſachuſetts-Bay, in favor of William Severs, eſquire, preſident of the council of the ſaid ſtate, for 30,000 dollars, for building a magazine, laboratory and barracks in that ſtate, agreeable to the order of Congreſs, for which the ſaid council is to be accountable:

That there be paid to Richard Bradley, eſquire, paymaſter of the 3d battalion of continental troops raiſed in North-Carolina, 3500 dollars, he to be accountable:

That there be paid to John Taylor, paymaſter of the 8th battalion of continental troops raiſed in North-Carolina, 1000 dollars, for which he is to be accountable;

That there be advanced to doctor William Shippen, director general of the hoſpital, 50,000 dollars for the uſe of the hoſpital, he to be accountable:

That there be advanced to the chevalier de Failly 100 dollars, for two months pay, he to be accountable:

That the preſident iſſue a warrant on the commiſſioner of the continental loan office in the ſtate of Rhode Iſland, in favor of Daniel Tillinghaſt, eſquire, for 10,059 4-90 dollars in diſcharge of a bill drawn by Abraham Livingſton and William Turnbull, agent for James Meaſe, eſquire, clothier general, on Robert Morris, eſq; chairman of the ſecret committee, and tendered for payment to Congreſs, dated Boſton, June 16th, 1777; the clothier general to be accountable:

That the preſident iſſue a warrant on the commiſſioner of the loan office in the ſtate of Pennſylvania, in favor of James Meaſe, eſquire, clothier general, for 50,000 dollars for the uſe of his department, he to be accountable.

The committee farther report, "that they have conferred with the managers of the ſtates lottery, and find that a conſiderable number of tickets remain unſold in the hands of the managers as well as their agents in the ſeveral ſtates; that from the preſent ſtate of the lottery and the uncertainty of the enemy's intentions, the committee recommend the drawing to be poſtponed till the 6th day of November next, and that a further quantity of tickets be tranſmitted to the ſeveral ſtates; and that it be recommended to their reſpective executive powers to give all the aſſiſtance they can to expedite the ſales thereof:"

Reſolved, That Congreſs agree with the committee, and that the board of treaſury take meaſures accordingly.

Reſolved, That the commiſſary general of muſters be hereafter allowed the pay and rations of a colonel; that the pay of his deputy commiſſaries be encreaſed to 60 dollars a month, and that of the muſter maſters to 45 dollars per month.

Reſolved, That the ſeveral muſtermaſters be directed to omit making returns to the paymaſter and deputy paymaſters general.

On motion it was reſolved as follows:

Whereas Joſeph Trumbull, eſquire, having reſigned his commiſſion of commiſſary general of purchaſes under the new regulations, has ſignified his intentions of diſcontinuing his ſervice under the former eſtabliſhment on the 20th day of the preſent month; and whereas the commiſſaries general of purchaſes and iſſues, who are to ſucceed him in office, may not be prepared with their reſpective aſſiſtants to proceed in the buſineſs at the time aforeſaid, and a failure of ſupplies may be attended with the moſt dangerous conſequences:

Reſolved, That Mr. Trumbull, with the officers under him, be deſired to continue in the buſineſs of ſupplying the army under the former eſtabliſhment, until the commiſſaries general of purchaſes and iſſues ſhall ſignify their readineſs to proceed therein under the new regulations, which they are required to do as ſpeedily as poſſible:

It was then moved, "that general Waſhington be authoriſed, during the preſent campaign, to remove ſuch officers and make ſuch appointments in the commiſſary's department, as he ſhall judge neceſſary, reporting their names to Congreſs; and if in carrying into execution the reſolutions aforeſaid any alterations

alterations ſhall appear to him eſſential to the ſervice, he is further authoriſed to propoſe the ſame to Congreſs;" and on the queſtion put, paſſed in the negative.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *Auguſt* 7, 1777.

A letter of the 7th from general Waſhington was read, incloſing a copy of a letter of the 1ſt from general Schuyler, at Saratoga, and ſundry other papers:

Ordered, That copies thereof be ſent to major general Gates.

Reſolved, That major general Preſcot be retained as a pledge for the good treatment and releaſe of major general Lee, and that he be treated as nearly as circumſtances will admit in the ſame manner as the enemy ſhall treat the officer laſt mentioned.

Reſolved, That general Waſhington be authorized to negociate the exchange of priſoners with the enemy in ſuch manner and on ſuch terms as he ſhall judge expedient, notwithſtanding the reſolution of Congreſs reſpecting lieutenant colonel Campbell and the five Heſſian field officers.

Reſolved, That the pay of the deputy commiſſaries general of iſſues be encreaſed to 100 dollars a month, and the pay of the clerks to the commiſſaries general to 50 dollars a month.

The ſeveral matters to this day referrred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *Auguſt* 8, 1777.

A letter of the 4th from governor Johnſon at Annapolis, incloſing a letter from Darby Lux, was read; whereupon Congreſs came to the following reſolution:

It having been repreſented to Congreſs that Darby Lux, Amon Butler, Nicholas Haite, Thomas James, and Nathaniel Owings, of Baltimore county in the ſtate of Maryland, gentlemen, have in company undertaken to open a lead mine and to erect works for ſmelting the ore, and that the inhabitants in the neighbourhood have refuſed to permit them to proceed in the proſecution of their deſign, without credentials from Congreſs that they are friends to the United States; and it appearing to Congreſs by the repreſentation of the go-

vernor and delegates of Maryland, that the said gentlemen are faithful friends to the American cause.

Resolved, That it be recommended to the inhabitants in the neighbourhood of the lead mine aforesaid to permit the same to be worked by the above gentlemen, and to give them every encouragement in the prosecution of a work of such public utility, and from which a supply of lead may be drawn for the service of these states.

The committee of commerce, to whom the petition of James Le Maire was referred, report "that they enquired into the merits of his claim on the United States, and are of opinion, that the said James le Maire and his sloop the Mary were in the continental service at the time she was taken and burnt by the enemy in Chingotegue inlet, and that he ought to be paid a reasonable value for the said sloop, with such reasonable charges and expences as may have arisen to him in consequence of this misfortune;" whereupon

Resolved, That the committee of commerce be impowered to make the said James le Maire a reasonable and just compensation for his losses in the public service, and to dispatch him on the business in which he was employed by the secret committee.

A letter of the 3d from brigadier general Scott to B. Harrison, esquire, was laid before Congress and read;

Ordered to lie on the table.

A petition from William West, major, James Mc Henry and Hugh Hodge, surgeons of the 4th and 6th regiments of Pennsylvania forces, commanded by colonels Magaw and Cadwallader, prisoners on parole, praying to be informed whether as continental officers holding commissions only revocable by this or a future Congress, they are not entitled to pay while on parole, as well as when in the hands of general Howe.

Ordered to lie for consideration till Monday next.

A letter of 24th March from Recules de Basmeireen Raimbeaux, of Bordeaux, was read, and referred to the committee of commerce.

A letter of the 24th July from brigadier general Hand at fort Pitt, to Thomas Wharton, esquire, president of the council of Pennsylvania, with sundry papers inclosed, was laid before Congress and read:

Ordered, That the same be referred to the board of war.

The

The medical committee, to whom the memorial of doctor J. Morgan was referred, brought in a report.

A motion was made, That a new commiſſion be made out and ſent to major general Benedict Arnold, giving him the rank of major general in the army from the 19th February laſt:

To this it was moved to add, "On account of his extraordinary merit and former rank in the army:

Queſtion put, paſſed in the negative.

Queſtion was then put on the firſt motion and paſſed in the negative.

At the requeſt of Rhode-Iſland the yeas and nays were taken as follows:

YEAS.	NAYS.	NAYS.
Mr. Folſom,	Mr. S. Adams,	Mr. R. Morris,
Mr. Merchant,	Mr. J. Adams,	Mr. Wilſon,
Mr. Dyer,	Mr. Gerry,	Mr. Clymer,
Mr. Duane,	Mr. Lovell,	Mr. Vandyke,
Mr. Roberdeau,	Mr. P. Livingſton,	Mr. Chaſe,
Mr. Walton.	Mr. Duer,	Mr. W. Smith,
	Mr. Serjeant,	Mr. Burke,
	Mr. Elmer,	Mr. Harnet.

A memorial from J. Jay and Governeur Morris was read:

Ordered, That it be referred to a committee of three;

The members choſen, Mr. Chaſe, Mr. Wilſon and Mr. Serjeant.

Ordered, That the committee immediately ſit on the buſineſs, and that they confer with general Waſhington and the memorialiſts.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due,

To major Samuel Nichols, for himſelf and a detachment of three companies of marines which he commanded on artillery duty, for which they were to receive additional pay, viz. captain Porter's company from the 1ſt February to 1ſt July, captain Mullen's company from 1ſt February to 1ſt March, and captain Deane's company from 1ſt February to 1ſt April, 895 15-90 dollars:

To William Hurrie, door-keeper to Congreſs, for a balance of his account, 26 60-90 dollars:

To Allen M'Donald, his ſon and ſervant, for their allowance as priſoners from 18th September 1776 to 5th Auguſt 1777, being 46 weeks, 230 dollars:

To

To Daniel Smith, of the city tavern, for his bill of expences of Congreſs on the 4th July laſt, including a balance of an old account, 729 68-90 dollars; alſo a bill for materials, workmanſhip, &c. furniſhed for the fire-works on the 4th July, 102 69-90 dollars; amounting in the whole to 832 47-90 dollars:

To the rev. John Hart, chaplain to the 6th Virginia regiment, for his extra ſervices in officiating to the 4th and 5th Virginia regiments from 3d November 1776 to 28th April laſt, being 5 months and 26 days, at 41 60-90 dollars per month, 243 52-90 dollars:

Ordered, That the ſaid accounts be paid.

Ordered, That a warrant iſſue to the treaſurer to tranſmit from Maryland to the auditor general one million of dollars, for which the ſaid auditor is to account.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *Auguſt* 9, 1777.

Congreſs took into conſideration the report of the medical committee on the memorial of doctor John Morgan, wherein they ſet forth, "that doctor Morgan was appointed director general and chief phyſician of the hoſpital in the room of doctor Church, October 17, 1775; that on the 9th of January, 1777, he was diſmiſſed from the ſaid appointment; that though no cauſe is aſſigned for his diſcharge, yet upon enquiry they find that the general complaints of perſons of all ranks in the army, and not any particular charges againſt him, together with the critical ſtate of affairs at that time, rendered it neceſſary for the public good and the ſafety of the United States that he ſhould be diſplaced, and were the reaſons of his diſmiſſion; that the doctor's memorial appears to be a haſty and intemperate production; notwithſtanding which, as he conceives himſelf injured, and requeſts an inquiry into his conduct, they are of opinion that he ought to be heard, and that a committee of Congreſs ſhould be appointed for that purpoſe:

Reſolved, That Congreſs agree to the ſaid report.

The medical committee, to whom was referred the letter from doctor W. Rickman, report, "that as the eſtabliſhment of the military hoſpital in Virginia, by a reſolution of Congreſs of the 18th of May 1776, is intirely diſtinct from and independent of the general eſtabliſhment of hoſpitals in the

the other ſtates, they are of opinion the ſame was not affected by the new regulations of the 7th April laſt, and that doctor Rickman ſtill continues director of that hoſpital :" whereupon

Reſolved, That Congreſs agree to the ſaid report.

Ordered, That a copy of the foregoing report and concurrence of Congreſs be ſent to doctor Shippen, and that he be directed to withdraw from Virginia ſuch phyſicians, ſurgeons, or aſſiſtants as he may have ſent thither.

Reſolved, That the board of treaſury be directed to order Mr. Hillegas the treaſurer, together with the treaſury and printing preſs under his care, to remove to Philadelphia as ſoon as they judge the ſtate and ſituation of public affairs will admit.

That the board of treaſury be directed to take into conſideration and report a proper compenſation to Mr. Hillegas for his paſt and future ſervices.

Congreſs proceeded to the election of a deputy commiſſary general of purchaſes in the room of Jeremiah Wadſworth eſquire, reſigned ; and the ballots being taken,

Peter Colt, eſquire, was elected.

A letter of this day from general Waſhington, with ſundry papers incloſed, was read.

Reſolved, That the board of war be directed to confer with Mr. Boudinot, the commiſſary of priſoners, and report as ſoon as poſſible on the manner in which the priſoners under his charge ought to be treated.

The board of war brought in a report which was taken into conſideration ; whereupon

Reſolved, That ſuch troopers of the North-Carolina light horſe under the command of captain Martin Phifer, captain Coſmo Medici, and captain Samuel Aſh, as ſhall inliſt for three years or during the war, be furniſhed with horſes and properly accoutred, and that thoſe men, who will not ſo inliſt, return home to North-Carolina under proper officers.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY, *Auguſt* 11, 1777.

Mr. Harriſon, Mr. Joſeph Jones, and Mr. F. L. Lee, three of the delegates from Virginia, attending, produced the credentials of their appointment, which were read as follows :

" Virginia

" Virginia. In general assembly, the 22d May, 1777. *Resolved*, That Benjamin Harrison, George Mason, Joseph Jones, Francis Lightfoot Lee, and John Harvie, esquires, be appointed delegates to represent this state in Congress for one year from the 11th August next, they having been chosen for that purpose by joint ballot of both houses. June 26th, 1777. Resolved, That Richard Henry Lee, esquire, be appointed a delegate to represent this state in general Congress from the 11th of August next until the 10th day of May following, he having been chosen for that purpose by joint ballots of both houses in the room of George Mason, esquire, who hath declined the said appointment. A copy, John Tazewell, C. H. D."

A letter of the 4th from general Schuyler, at Stillwater; two of the 9th from general Washington; one from the viscount de Mauroy; one from Mons. de Vrigny; and one from Mons. Valfort, were read.

The marine committee laid before Congress a letter of the 28th July from Isaac Smith, Ebenezer Storer, and William Phillips, commissioners appointed to settle the accounts of the continental agents; which was read, and wherein they set forth " That they have settled William Bartlett's account, and find a balance due to him from the states of 15013 60-90 dollars, and to Jonathan Glover, esquire, 55091 47-90 dollars, being the balance of his account; that they would have complied with the orders of the marine committee to pay these balances, but cannot find any person who wants the money in Philadelphia, and as messrs. Bartlett and Glover are in great want of the money in order to settle with the captors, they have advised them to send a person express for this purpose;" whereupon

Resolved, That an order be drawn on the commissioner of the loan office in the state of Massachusetts-Bay, in favor of Isaac Smith, Ebenezer Storer and William Phillips, for 70,105 1-6 dollars, for the payment of the balances due to messr. Bartlett and Glover.

Ordered, That the letter from general Washington, with the memorial from the board of general officers respecting rations, be referred to a committee of three:

The members chosen, Mr. Wilson, Mr. J. B. Smith, and Mr. W. Smith.

A letter from general Washington was read, relative to the defence of the river Delaware.

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A letter of the 9th from Arch. Stewart to Charles Stewart was laid before Congreſs and read, wherein he mentions "the declining ſtate of his health, and expreſſes his concern that it is not in his power, on account thereof, to accept of the office of deputy commiſſary general of iſſues, and hopes he will not incur blame for not accepting an office, the duties of which he has not the leaſt proſpect of being able to perform; whereupon

Reſolved, That his reſignation be accepted, and that tomorrow be aſſigned for appointing a deputy commiſſary general of iſſues.

A memorial from Monſ. du Portail was read:

Ordered, That it be referred to the board of war.

Reſolved, That Monſ. du Coudray be appointed inſpector general of ordnance and military manufactories, with the rank of major general.

Reſolved, That a committee of four be appointed to define the powers to be granted to and exerciſed by monſ. du Coudray:

The members choſen, Mr. Wilſon, Mr. Duane, Mr. Heyward and Mr. S. Adams.

A memorial from Thomas M'Coy and one from James Wilſon were read:

Ordered, That the former be referred to the board of treaſury and the latter to the board of war.

Ordered, That the memorial and petition of P. Minis be referred to the board of treaſury.

Ordered, That the letter from general Waſhington, reſpecting the defence of the river Delaware, be referred to the board of war, and that they be directed to carry into execution the general's plan with all poſſible diſpatch.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o' clock to-morrow.

TUESDAY, *Auguſt* 12, 1777.

Mr. R. H. Lee attended and took his ſeat.

A letter of the 9th from general Mifflin and one of the 8th from Mr. J. Hudſon were read:

Ordered, that they be referred to the board of treaſury.

A letter and memorial from count Pulaſky was read.

A letter from general Waſhington to brigadier general Thompſon, with ſundry papers incloſed, was laid before Congreſs and read:

Ordered, That the ſame be referred to the board of treaſury.

Reſolved, That four members be added to the board of treaſury:

The members choſen, Mr. Laurens, Mr. Folſom, Mr. Harnet and Mr. Dyer.

Reſolved, That William Molliſton be appointed a third lieutenant in the navy of the United States, and commiſſioned accordingly.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That there be paid to Iſaac Guion, acting as paymaſter to the 4th and 7th battalions of continental troops raiſed in the ſtate of North Carolina, 6000 dollars, one half thereof for the uſe of each of the ſaid battalions reſpectively, the ſaid paymaſter to be accountable:

That a warrant be drawn by the preſident on John Lawrence, eſquire, commiſſioner of the loan office in the ſtate of Connecticut, in favour of Samuel Downe, eſquire, one of the commiſſioners of accounts, for 600 dollars, for which he is to be accountable:

Reſolved, That the remainder of the report, together with the reſolutions paſſed the 1ſt inſtant reſpecting the emiſſion and appropriation of one million of dollars, be recommitted to the board of treaſury.

At the requeſt of Mr. Heyward to be excuſed from ſerving on the committee of commerce,

Reſolved, That he be excuſed, and that Mr Laurens be appointed a member of the ſaid committee in his ſtead.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due, To Ezra Patterſon, a ſerjeant in colonel Hart's battalion of flying camp, for his pay from 17th October 1776, to 1ſt January 1777, being 2 months and 14 days, at 8 dollars a month, 19 60-90 dollars:

To the reverend Mr. M'Murdic, for his extra ſervices in officiating as chaplain to colonel Jacob Clootz's battalion, from 18th October 1776, to 1ſt January 1777, 2 months and 13 days, at 20 dollars a month, 48 60-90 dollars:

To the reverend Monſ. Lotbinier, for one month's pay and rations as chaplain, from 10th July to 10th inſtant, 48 dollars, alſo for the difference of pay which took place 11th April laſt

laſt in the pay of chaplains, he having received only at the rate of 33 1-3 dollars per month, whereas the pay was 40 dollars per month, the difference 6 2-3 dollars per month for three months, is 20 dollars:

To brigadier general Weedon, a balance of his contingent account, amounting to 287l. 17s. 6d. of which he received by brigadier general Lewis's warrant at Williamſburg 250l. the balance in Virginia currency is 37l. 17s. 6d. equal to 126 22-90 dollars:

Ordered, That the ſaid accounts be paid.

An extract from the minutes of the ſupreme executive council of Pennſylvania was laid before Congreſs and read, as follows:

"In Council, Philadelphia, Auguſt 12, 1777. Ordered, that information be given to Congreſs, that the hon. John Penn, eſq; late governor of Pennſylvania, and Benjamin Chew, eſq; late chief juſtice, regiſter of wills, and of the governor's council of the ſame, have been made priſoners agreeable to the recommendation of Congreſs; that both refuſe to ſign a parole of any kind; and that Congreſs be requeſted immediately to order them to be removed out of this ſtate. Extract from the minutes, Timothy Matlack, Secretary." Whereupon

Ordered, That the board of war give directions for the conveyance of thoſe gentlemen under guard to Frederickſburg in Virginia, and that the governor of Virginia be requeſted to appoint ſome proper place for the reception of thoſe gentlemen, and to order that they be ſafely ſecured and entertained agreeable to their rank and ſtation in life.

Congreſs took into conſideration the report of the committee on the ſtate of the army, and after ſome time ſpent thereon

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *Auguſt* 13, 1777.

A letter of the 12th from general Waſhington at the Croſs Roads; one of this day from the marquis de la Fayette; and one of the 12th from W. Buchanan, with a liſt of proviſions ſtored by Joſeph Trumbull, eſq; were read:

Ordered, That they be referred to the board of war.

A motion was made "that the execution of the order of Congreſs relative to the removal of John Penn and Benjamin

Chew, eſqrs; be ſuſpended till ſuch time as the board of war ſhall deem eſſential to the public ſafety to carry it into execution; and that in the mean while they be authoriſed, on an application in writing from thoſe gentlemen, to admit them to ſuch paroles as they ſhall deem neceſſary to ſecure the public ſafety; and the previous queſtion being moved and put, whether that queſtion be now put,

Paſſed in the negative.

A motion was made as follows. Whereas it is repreſented to Congreſs that the hon. John Penn, eſq; and Benjamin Chew, eſq; who were ordered yeſterday to be conveyed by the board of war to Frederickſburg in Virginia, are now willing to give their parole; Ordered, That the board of war take ſuch parole from the ſaid gentlemen as they may think proper, and thereupon that the order of yeſterday for their removal to Virginia be ſuſpended:"

The previous queſtion was moved, Whether that queſtion be now put; on which the ſtates were equally divided, twelve being preſent.

The queſtion was then put on the motion, and the ſtates were divided.

At the requeſt of Maryland and New-Jerſey the yeas and nays were called for and are as follows:

YEAS.	YEAS.
Mr. Duane,	Mr. W. Smith,
Mr. Duer,	Mr. Paca,
Mr. Morris,	Mr. Harriſon,
Mr. Wilſon,	Mr. Jones,
Mr. Clymer,	Mr. Burk,
Mr. Vandyke,	Mr. Penn,
Mr. Chaſe,	Mr. Harnett.
Mr. Middleton,	
NOES.	NOES.
Mr. Folſom,	Mr. Law,
Mr. Froſt,	Mr. Sergeant,
Mr. S. Adams,	Mr. Elmer,
Mr. J. Adams,	Mr. Roberdeau,
Mr. Gerry,	Mr. J. B. Smith,
Mr. Lovel,	Mr. F. L. Lee,
Mr. Marchant,	Mr. Laurens,
Mr. Dyer,	Mr. Heyward.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That 200 dollars be advanced to the chevalier du Portail, 150 dollars to lieutenant colonel de la Radiere, and

150

150 to major Gouvion; for which they are reſpectively to be accountable:

That 2000 dollars be advanced to Viſcount de Mauroy, for himſelf and his ſuite, for which he is to be accountable:

That 2000 dollars be advanced to Baron de Kalb, for himſelf and his ſuite, for which he is to be accountable:

That 30,000 dollars be advanced to William Buchanan, eſq; commiſſary general of purchaſes, for the uſe of his department, he to be accountable:

That a warrant iſſue for 150,000 dollars in favour of Anthony Butler, agent to major general Mifflin, quarter-maſter general, for the uſe of his department, and for which he is to be accountable, agreeable to his application to Congreſs by letter dated the 9th inſtant:

That there be paid to Elbridge Gerry, eſq; 114 45-90 dollars for the expence of a committee of Congreſs to the army in this month:

That there be advanced to Jacob Blount, appointed by the ſtate of North Carolina paymaſter to the continental troops raiſed in that ſtate, and to be delivered to William Blount his agent, 2000 dollars for arrears of pay due to the ſaid battalions, incurred while he officiated, and before the appointment of regular regimental paymaſters, he to be accountable:

That there be paid to doctor Elmer 35 dollars, for his expences in viſiting the hoſpitals, agreeably to the directions of the medical committee.

Reſolved, That the remainder of the report be poſtponed till to-morrow.

The committee on foreign applications brought in a report:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The board of war brought in a report:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *Auguſt* 14, 1777.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to colonel Lewis Nicola, for the pay of four companies of city guards to the 2d inſtant, being one month, 2070 50-90 dollars:

To lieutenant colonel Jonathan Jones, his pay as major in the 2d Pennſylvania regiment, from the 25th of December

1776

1776 the 25th of February 1777, being two months at 50 dollars a month, 100 dollars; and for his pay as lieutenant colonel in the said regiment from 25th of February to the 5th of April, 1 month and 9 days at 60 dollars, 78 dollars; the whole amounting to 178 dollars:

To Charles Thomson, for sundries paid for by him to Andrew M'Nair, late door keeper to Congress, to Benjamin Randolph for boxes to hold the papers of Congress, to David Evans for two tables, and for freight and porterage of a box of papers from Baltimore, 56 30-90 dollars:

Ordered, That the said accounts be paid.

Congress proceeded to the election of a deputy commissary general of issues, and the ballots being taken,

Robert White, esquire, was elected.

A letter from the honorable John Penn, esquire, requesting Congress to admit him to his parole, and a memorial from B. Chew, esquire, containing the same request, were laid before Congress and read; whereupon a motion was made "that it be

Ordered, That the board of war take such parole, from the said gentlemen as they may think proper, and that the order of Tuesday last for their removal to Virginia be superseded;"

An amendment was then moved, after "the board of war" to insert "with the concurrence of the executive council of Pennsylvania;"

Passed in the negative.

At the request of Rhode-Island the yeas and nays were called for as follows:

YEAS.	NAYS.	NAYS.
Mr. Folsom,	Mr. Frost,	Mr. W. Smith,
Mr. S. Adams,	Mr. J. Adams,	Mr. Harrison,
Mr. Gerry,	Mr. Duane,	Mr. Jones,
Mr. Lovell,	Mr. Duer,	Mr. F. L. Lee,
Mr Marchant,	Mr. Morris,	Mr. Burke,
Mr. Dyer,	Mr. Wilson.	Mr. Harnett,
Mr. Law,	Mr. Clymer,	Mr. Penn,
Mr. Sergeant,	Mr. Vandyke:	Mr. Middleton,
Mr. J. B. Smith,	Mr. Chase,	Mr. Heyward,
Mr. Roberdeau,	Mr. Paca,	Mr. Walton.
Mr. Laurens.		

Question being put on the motion,

Resolved in affirmative.

Resolved, That the commanding officer in the Northern department be impowered for the term of four months from the date of this resolution, to suspend any officers under his command for mal-conduct and to appoint others in their room till such

such time as the pleasure of Congress can be known concerning the person or persons so suspended; and that he report to Congress, with as much dispatch as possible, the names of such as he may suspend with the cause of their suspension.

Resolved, That it be a standing rule, that every morning after the reading of the public letters and giving orders concerning them, the reports of the board of treasury and the reports of the board of war, if any there are, be immediately taken into consideration.

The board of war brought in a report, which was read:

Ordered, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *August* 15, 1777.

A letter of the 4th from H. B. Livingston, with sundry papers inclosed, and one of the 24th of July from governor Henry of Virginia, were read:

Ordered, That the former be referred to the board of war, and the latter to the board of treasury.

Congress took into consideration the reports of the board of war; whereupon

Resolved, That the executive authorities of the several states be requested to transmit to Congress accounts of all monies advanced and expences incurred for prisoners of war during their residence in their respective states, and that such accounts be transmitted within the space of 12 weeks after receipt of this notice, or else to be ever thereafter foreclosed.

Resolved, That the part of colonel Richardson's letter which relates to Thomas Lightfoot, be sent to the executive council of Pennsylvania, with a request to have him secured.

Resolved, That a copy of that part of colonel Richardson's letter which relates to Thomas Cockayne, and George Walton and Thomas Lightfoot, of Suffex county in the state of Delaware, be transmitted to president M'Kinley, and that he be desired forthwith to take order for the apprehension and confinement of the said Cockayne, Walton and Lightfoot; and that colonel Richardson be ordered to afford every assistance in his power to president M'Kinley and the officers whom he shall employ in this necessary service.

It

It was then moved, "that Peter and Burton Robinſon, ſubjects of the Delaware ſtate, accuſed of carrying on a criminal correſpondence with the enemy, and whom colonel Richardſon has ſeized and ſent to Congreſs, be immediately conveyed to the executive power of the Delaware ſtate:"

Paſſed in the negative.

Reſolved, That Peter and Burton Robinſon be remanded to the Delaware ſtate whenever preſident M'Kinley ſhall order or requeſt it.

A motion was made in the following words: "It being repreſented to Congreſs that a large majority of the inhabitants of Suſſex county in the Delaware ſtate are diſaffected, Reſolved, that it be recommended to the ſtate of Delaware to paſs a law directing any inhabitant of that county charged with treaſon, miſpriſion of treaſon, or high and dangerous offences againſt that ſtate, to be tried in any other county of the ſtate."

Paſſed in the negative.

Reſolved, That it be recommended to the preſident of the Delaware ſtate to order twenty light horſe to join colonel Richardſon in the county of Suſſex, and give him all aſſiſtance in their power to execute the directions of the ſaid ſtate, in the room of the two hundred militia ordered there.

Congreſs took into conſideration the report of the board of treaſury of the 13th, and thereupon came to the following reſolutions:

Whereas the ſtate of Georgia has advanced very conſiderable ſums of money for the pay and ſubſiſtence of continental troops employed by the directions of Congreſs in the defence of that ſtate, and for that and other continental uſes emitted bills of credit and certificates, which they are very deſirous ſhould be redeemed and cancelled; and it being juſt and reaſonable that the accounts of ſuch expenditures ſhould be forthwith ſettled and the balance which ſhall appear to be due from the United States paid, and that a further proviſion ſhould be made for ſupplying the military cheſt in Georgia with money for the pay and ſubſiſtence of the troops ſtationed in that ſtate for the future:

Reſolved therefore, That commiſſioners of accounts be appointed to ſtate and ſettle all accounts and claims reſpecting the United States which have ariſen or ſhall ariſe in the

in North-Carolina, South-Carolina and Georgia, and that they repair without delay to Georgia and examine and adjuſt all continental accounts with that ſtate or any officers or individuals within the ſame, and that they be empowered to receive and pay the balances of accounts, as they ſhall be reſpectively owing to or from the United States, and report their proceedings to the treaſury board, in order to their being laid before Congreſs and finally confirmed.

Reſolved, That 400,000 dollars be remitted to the ſtate of Georgia on account of the monies ſo advanced by that ſtate for the uſe of the United States; that ſuch ſum be paid out of the money hereafter directed to be emitted unleſs the board of treaſury ſhall be of opinion that it may be ſooner ſpared from the treaſury; in which caſe a warrant ſhall iſſue on their application without reſpect to the ſaid emiſſion: That the warrant ſhall be drawn on the treaſurer at Baltimore, or auditor general, as in the opinion of the board of treaſury ſhall be moſt convenient, and in favour of the board of war, who are to tranſmit the money to the ſaid ſtate for the ſole purpoſe of calling in, exchanging, and cancelling all ſuch bills of credit and certificates as have been emitted by that ſtate for the pay and ſubſiſtence of the troops of the United States and other continental purpoſes:

That another warrant ſhall iſſue in the manner preſcribed by the preceding reſolution in favour of the board of war for 300,000 dollars, to be remitted by them to the deputy paymaſter general for the pay and ſubſiſtence of the continental troops in Georgia:

That if on the ſettlement of accounts between the United States and the ſtate of Georgia, leſs ſhall appear to be due to that ſtate than the ſum directed to be tranſmitted, the ſurplus ſhall be paid by the ſaid ſtate into the hands of Joſeph Clay, eſquire, deputy paymaſter general in Georgia, whoſe receipt ſhall be a ſufficient voucher; but if more ſhall appear to be due to the ſaid ſtate, the balance ſhall be paid to the ſaid ſtate by the ſaid deputy paymaſter general on the warrants of the commiſſioners who ſhall adjuſt the account.

Reſolved, That as a fund for the above and other purpoſes one million of dollars be emitted under the direction of the treaſury board and on the faith of the United States: that the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion now executing, be numbered from

the laſt number of each reſpective denomination of that emiſſion progreſſively, and conſiſt of the following denominations, to wit, 15384 bills of the denomination of three dollars, the like number of four dollars, the like number of five dollars, the like number of ſix dollars, and the like number of ſeven dollars reſpectively, and 15385 of the denomination of two dollars, and the like number of eight dollars, and the like number of thirty dollars reſpectively:

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the ſaid emiſſion now executing, ſhall extend to the ſaid one million to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

Reſolved, That all former reſolutions of Congreſs reſpecting the premiſes be repealed.

A memorial from Nicholas Garret was read:

Ordered, That it be referred to the board of treaſury.

The committee to whom was referred the petition of Peter Knight and John Green report, "That having heard the argument of council upon the ſaid petition, they are of opinion, from the particular circumſtances of the caſe, that the appeal of the ſaid Knight and Green from the ſentence of the court of admiralty for the ſtate of Georgia, in the cauſe major John White and lieutenant Hardy againſt the ſloop Polly, &c. ſhould be received and heard, notwithſtanding the ſaid appeal was not entered within five days, or lodged within forty days, as directed by the reſolve of Congreſs:" whereupon

Reſolved, That the appeal be received.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *Auguſt* 16, 1777.

A letter of the 15th from general Waſhington at the Croſs Roads; one of the 10th from general Schuyler at Albany; one of the 7th from colonel G. Morgan at fort Pitt, with the minutes of a treaty held with the Indians; alſo a letter from brigadier general Hand to the board of war, were read:

Ordered, That a copy of the letter from General Waſhington be ſent to the ſupreme executive council of Pennſylvania,

ſylvania, and that they be requeſted to have the general's views carried into execution with all poſſible diſpatch.

Reſolved, That a committee of five be appointed to take into conſideration the ſtate of the Weſtern frontiers and the Northern department, and report thereon with all convenient diſpatch.

The members choſen, Mr. Duer, Mr. R. H. Lee, Mr. Wilſon, Mr. J. Adams and Mr. Chaſe.

Reſolved, That Monday next be aſſigned for taking into conſideration the articles of confederation.

Reſolved, That the report of the committee on the treaſury on the ways and means of raiſing ſupplies for carrying on the war, be referred to a committee of the whole.

Ordered, That the letters lately received from the commiſſioners at Paris be referred to the ſaid committee.

Congreſs was then reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. Harriſon reported, that the committee have had under conſideration the matters referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That Congreſs will on Monday next reſolve itſelf into a committee of the whole, to conſider farther the ways and means for raiſing ſupplies to carry on the war:

Reſolved, That 300 dollars be advanced to Daniel Joy for public ſervice, he to be accountable:

That 300 dollars be advanced to R. Peters, eſquire, ſecretary of the board of war, for contingent expences, he to be accountable.

The committee on the Weſtern frontiers and Northern department brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be informed, that, in the opinion of Congreſs five hundred riflemen, under the command of an active and ſpirited officer, ſhould be immediately ſent into the Northern department, to aſſiſt in oppoſing the incurſions of the enemy in that quarter.

The committee report, that they have not had time to conſider the whole matter referred to them, and therefore deſire leave to ſit again:

Ordered, That leave be granted.

Reſolved, That the preſident and ſupreme executive coun-

cil of Pennſylvania be requeſted to give brigadier general Hand ſuch aſſiſtance from the militia of the counties of Weſtmoreland, Northumberland and Bedford, as general Hand may think neceſſary.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY, *Auguſt* 18, 1777.

A letter of the 8th from general Schuyler, with a copy of a letter from general Lincoln; one of the 16th and two of the 17th from general Waſhington; one of the 6th from S. Hopkins, with a copy of the journal of proceedings of a committee from the four New-England ſtates and New-York:

Ordered, That ſo much of the foregoing letters as relate to the Northern department be referred to the committee on the ſtate of the weſtern frontiers and Northern department; that the remainder of the general's letters be referred to the board of war; that the letter from the honorable S. Hopkins, eſquire, with the journal accompanying it, be referred to a committee of three:

The members choſen, Mr. Laurens, Mr. Jones, and Mr. Witherſpoon.

A memorial from J. Wyncoop was read:

Ordered, That it be referred to the board of treaſury.

A letter from governor Henry of Virginia to the delegates of that ſtate, with ſundry papers incloſed, was laid before Congreſs and read:

Ordered, That the ſame be referred to the board of war.

Congreſs being moved to paſs ſundry reſolutions,

Ordered, That the ſame be referred to the marine committee.

Congreſs took into conſideration a report from the board of treaſury; whereupon

Ordered, That there be advanced to captain George Price, of colonel Morgan's 11th Virginia battalion, for the uſe of his company lately raiſed and now on their march to camp, 2000 dollars, to be charged to the ſaid battalion.

Ordered, That the ſum of 500 dollars be advanced to the commiſſioners of account, at the treaſury office, for the purpoſe of paying arrearages due to priſoners, for which the ſaid commiſſioners are to be accountable.

Ordered, That there be advanced to captain Samuel Kearſley,

ſley, of an independent company of continental troops, 1000 dollars, to purchaſe blankets for the ſaid company, and captain Irwine's independent company, by the ſpecial order of general Waſhington and the approbation of the cloathier general; the ſaid captain Kearſley to be ſubject to the directions of the cloathier general and to account to him for the expenditure of the money, which is to be charged to the account of the cloathier general:

Ordered, That there be advanced to colonel le chevalier de Leſſer and to colonel le chevalier de Valcourt reſpectively, 450 dollars, and to captain de Vrigney, 240 dollars, for which they are ſeverally to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due, To captain George May, of colonel Haller's battalion of Berks county flying camp, for ſundry meals ſupplied his company previous to their joining the flying camp, alſo for ſundry flints delivered colonel Haller, and for three gun-locks loſt at fort Waſhington, 75 8-90 dollars:

To Abraham Holmes, for ſundry meals ſupplied the militia on their march through Lancaſter to camp, 11 12-90 dollars;

To Thomas M'Coy, late enſign in the 7th Pennſylvania regiment, a balance of his account for pay and rations from the 1ſt of October 1776, to the 10th of Auguſt 1777, the ſaid M'Coy having been made priſoner in Canada and lately exchanged at Halifax, 185 23-90 dollars.

To lieutenant William Allen, of captain Green's company of the Lancaſter county flying camp, for ſubſiſtence paid by him for men of his company, for flints, powder horns and ſhot pouches loſt on Long-Iſland, and for the pay due to one lieutenant and three privates which he advanced, 83 dollars:

Ordered, That the ſaid accounts be paid.

Ordered, That the report of the board of war of the 14th be re-committed.

Congreſs was reſolved into a committee of the whole to conſider farther the report of the committee on the ways and means of raiſing ſupplies for carrying on the war, and after ſome time the preſident reſumed the chair and Mr. Harriſon reported, that the committee have conſidered farther the report referred to them, but not having come to a concluſion, deſire leave to ſit again;

Reſolved,

Resolved, That Congress will to-morrow resolve itself into a committee of the whole, to consider the report of the treasury on the ways and means of raising supplies for carrying on the war.

Ordered, That 2000 dollars be advanced to the state of Maryland, to be paid to the delegates of that state, which is to be accountable.

A petition from William Pyot and one from Lawrance Greenholm were presented to Congress:

Ordered, That they be referred to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *August* 19, 1777.

A letter of the 18th from general Washington was read.

Resolved, That the Hessian field officers and colonel Campbell be admitted to their parole on the terms prescribed for officers who are prisoners.

The committee appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, brought in a report which was read:

Ordered, To lie for consideration.

Congress resolved itself into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies for carrying on the war, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the matter referred to them, but not having come to a conclusion, desire leave to sit again.

Resolved, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies for carrying on the war.

The committee on the treasury brought in a report, whereupon

Ordered, That there be advanced to captain William Peery, of an independent company stationed at Lewistown in the state of Delaware, 500 dollars for the pay and subsistence of the said company, for which he is to be accountable.

In

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due, to captain William Peery, of an independent company appointed by Congreſs to guard Lewiſtown and the pilots and others in that quarter, on a pay-roll due to a company of militia which he commanded, alſo on a pay and ſubſiſtence roll due to his independent company to the 1ſt inſtant, alſo on a doctor's and blackſmith's bills, amounting in the whole to 3542 63-90 dollars, of which he received of preſident M'Kinley of the ſtate of Delaware, 1500 dollars; a balance of 2042 63-90 dollars:

To James Hopkins, his account of eight men's ſervices for 30 days each, by order of general Waſhington, on a ſecret expedition down the river Delaware, 491 75-90 dollars:

To Robert Lunn, late a ſerjeant in captain Vernon's company of colonel Wayne's battalion, 10 months and 26 days half-pay, being from the time he was regularly diſcharged to the time of his inliſting in colonel Nichola's corps of invalids, amounting in the whole to 43 42-90 dollars, of which he received from Meaſe and Caldwell 4 dollars; the remainder 39 42-90 dollars:

Ordered, That the ſaid accounts be paid.

The board of war brought in a report, which was taken into conſideration; whereupon

Congreſs taking into conſideration the letter from governor Henry of Virginia to the delegates of that ſtate in Congreſs,

Reſolved, That any officer now in colonel Harriſon's regiment of artillery ſhall have liberty to leave the ſaid regiment on being appointed to any office or command in the corps of artillery raiſing or to be raiſed in Virginia by the ſaid ſtate, and that the ſaid colonel Harriſon's regiment be under the direction of his excellency governor Henry during the time of its ſtay in that ſtate.

Reſolved, That this Congreſs will on all occaſions diſcountenance and puniſh any indecent behaviour of any officer or officers in the continental ſervice towards the civil authority of the ſeveral ſtates.

Reſolved, That a copy of general Lincoln's letter be forthwith tranſmitted to the council of New-Hampſhire, and that they be informed, that the inſtructions which general Stark ſays he has received from them are deſtructive of military

military ſubordination and highly prejudicial to the common cauſe at this criſis; and therefore that they be deſired to inſtruct general Stark to conform himſelf to the ſame rules which other general officers of the militia are ſubject to whenever they are called out at the expence of the United States.

Ordered, That the remainder of the report lie for farther conſideration.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *Auguſt* 20, 1777.

A letter of the 2d from Benjamin Harriſon, eſquire, deputy paymaſter general in the Southern department, was read.

Reſolved, That the pay of the paymaſter general be encreaſed to 150 dollars a month:

That the pay of the deputy paymaſter general be encreaſed to 75 dollars a month.

The marine committee, to whom certain motions were referred, brought in a report, which was read:

Ordered, To lie for conſideration.

A letter from the preſident and council of Pennſylvania to the delegates of that ſtate in Congreſs, was laid before Congreſs and read:

Ordered, That the conſideration thereof be poſtponed till to-morrow, and that the deputy muſtermaſter general immediately muſter the militia of Pennſylvania that are now in the field, beginning with thoſe at Cheſter.

Congreſs took into conſideration the report of the committee on the mode of conducting the enquiry into the reaſons of the evacuation of Ticonderoga and Fort Independence, and into the conduct of the general officers who were in the Northern department at the time of the evacuation; and after debate thereon

Reſolved, That it be re-committed.

The committee on the ſtate of the Weſtern frontiers and the Northern department brought in a farther report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be directed to call on the governor of New-Jerſey for one thouſand men to relieve a like number of the militia of the ſtate of New-York at preſent employed in garriſoning the forts on Hudſon's river, in order that the ſaid militia may be employed

ployed in repelling the invaſion of the enemy on the frontiers of that ſtate:

That an extract of colonel George Morgan's letter, which relates to a farther ſupply of money, be referred to the board of treaſury.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *Auguſt* 21, 1777.

A letter of the 20th from general Waſhington, incloſing an extract of a letter of the 15th from general Schuyler, was read, alſo a letter of the 15th from general Schuyler, with an addreſs to him from ſix general officers, requeſting him "that on his being relieved, previous to his leaving the country, he will uſe his influence with the militia, that without loſs of time they join the army, a meaſure neceſſary for their own as well as for the ſafety of the public, relying on it, ſhould he be detained on this important buſineſs, his doing it will be approved by Congreſs."

Ordered, That the extract of a letter from general Schuyler to general Waſhington be referred to the committee of intelligence; and that the letter from general Schuyler be referred to the board of war:

Congreſs being informed that there is a large quantity of tar collected at Wilmington in North-Carolina, and that the enemy's fleet is now upon the ſouthern coaſt,

Reſolved, That it be earneſtly recommended to the executive power of North-Carolina to cauſe all the military and naval ſtores in the ſaid ſtate to be removed to places of ſecurity with all poſſible expedition, it being of great conſequence to the United States that the ſame ſhould not fall into the enemy's hands; that the ſaid ſtores be deſtroyed rather than poſſeſſed by the enemy.

Reſolved, That a committee of five be appointed to conſider the ſtate of South Carolina and Georgia:

The members choſen, Mr. Laurens, Mr. R. H. Lee, Mr. Wilſon, Mr. Harnett, and Mr. Chaſe:

Ordered, That the committee ſit this afternoon and report as ſoon as poſſible.

Congreſs took into conſideration a report of the board of war of the 23d July; whereupon

Reſolved, That Allen M'Donald, of Kinſborough, North-Carolina, a captain in the Britiſh regular ſervice, be permitted to go into New-York to negociate an exchange for himſelf and his ſon a lieutenant in the ſame ſervice; he to give

his parole not to convey to the enemy or bring back any intelligence whatever of a political nature, and to return in a certain time to be fixed by his parole or when called for, on behalf of the United States.

Congress took into consideration the report of the marine committee:

Resolved, That if upon due consideration jointly had by the navy board for the eastern department and the governor and council of war for the state of Rhode-Island, and for which purpose the said navy board are directed to attend upon the said governor and council of war, the preparing fire ships be judged practicable, expedient and advisable, the said navy board immediately purchase, upon as reasonable terms as possible, six ships or square rigged vessels at Providence in the state of Rhode-Island and Providence plantations, the best calculated for fire ships; that they employ proper persons to fit and prepare the said fire ships with all possible expedition; that the said navy board provide proper materials for the same, and employ a proper captain or commander, one lieutenant and a suitable number of men for each of the said ships or vessels, of approved courage and prudence; and that notice be given to all the commanders of the continental ships and vessels in the port of Providence to be in readiness to sail at a moment's warning: That as soon as the said fire ships are well prepared, the first favourable wind and weather be embraced to attack the British ships and navy in the rivers and bays of the state of Rhode-Island and Providence plantations: that the officers of the continental navy there favour as much as possible this design, and use the utmost efforts to get out to sea and proceed upon such cruise or to such ports as the said navy board or the marine committee shall appoint or order.

Resolved, That the governor of the state of Rhode-Island and Providence plantations and the council of war of that state be acquainted with the foregoing resolve; and that they be requested to afford every assistance in their power in effecting the above purposes.

Resolved, That general Spencer be informed of the foregoing resolves, and that he be instructed to favour, as far as possible the said designs by such attacks or feints as he may judge proper with the troops and boats under his command.

Resolved, That secrecy, as much as possible, be recommended in carrying into execution the foregoing resolutions.

Resolved, That 4000 dollars be paid to the officers and men on board every fire ship or vessel which shall actually set on fire and destroy any one of the enemy's ships of war, in any of the

the bays, rivers or harbours in the ſtate of Rhode-Iſland and Providence plantations, of 20 guns or upwards; and 3000 dollars for every ſhip or veſſel of war under 20 guns; and 1500 dollars for every tranſport; the proof of the execution done to be certified by the commander or commanding officer, or by the oath of ſuch perſon or perſons as may be witneſs to the fact.

Reſolved, That the rewards aforeſaid ſhall be divided in the following proportion; one fourth to the captain or commander of ſuch fire ſhip or veſſel, one ſeventh to the lieutenant, and the remainder to the crew, to be equally divided amongſt them.

Ordered, That the marine committee collect the beſt intelligence and inſtructions they can reſpecting the beſt method of conſtructing fire ſhips, and ſend the ſame to the navy board of the eaſtern department.

Ordered, That the board of war direct meſſ. Hughes of Maryland to deliver to the order of the governor of that ſtate, four twelve pounders, to be paid for or returned by that ſtate.

The committee on foreign applications brought in a report which was taken into conſideration; whereupon

Reſolved, That a commiſſion of lieutenant colonel be immediately given to the chevalier de Failly, and that he be paid in that rank from the 1ſt of December laſt and ordered to repair forthwith to the Northern army:

Reſolved, That monſ. Epiniers receive a commiſſion of captain.

Reſolved, That the remainder of the report lie for farther conſideration.

Congreſs took into conſideration the memorial of colonel Hazen, the report thereon of the board of treaſury, and the commiſſioners for auditing claims, and after debate

Ordered, That the conſideration thereof be poſtponed.

A letter of this day from general Waſhington was read, whereupon Congreſs adjourned for two hours.

Five o'clock, P. M.

Congreſs took into conſideration the letter from general Waſhington, and the proceedings of a council of war encloſed therein; whereupon

Reſolved, That Congreſs approve the plan of marching the army towards Hudſon's river, and then that general Waſhington act as circumſtances may require.

A letter of the 18th from general Schuyler was read:

Ordered, That it be referred to the committee of intelligence.

The several matters to this day referred being poſtponed, adjourned to ten o' clock to-morrow.

FRIDAY, *Auguſt* 22, 1777.

Two letters of the 21ſt from general Waſhington, one of them incloſing a letter of the 20th from general Newcomb, were read:

Ordered, That they be referred to the board of war.

Ordered, That the board of war ſend to Virginia, with all poſſible diſpatch, four braſs field pieces, if the public ſervice will admit.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That there be advanced to Thomas Butler, continental armourer, 1600 dollars for the uſe of his department, he to be accountable:

That there be advanced to Everhart Michael, eſquire, paymaſter of the German battalion, 2000 dollars for the uſe of the ſaid battalion, for which he is to be accountable:

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due,

To Jacob Hincle, for 136 meals ſupplied the militia of Cumberland county on their march to camp, 13 54-90 dollars:

To lieutenant Nicholas Garret, late of colonel Magaw's regiment, a balance of his account for his pay and for bounty money advanced to ten men he recruited, as alſo their ſubſiſtence and inliſting money, &c. amounting to 178l. 7s. 9d. of which he received from major Benezet 135l. the balance being 115 63-90 dollars, to be paid to him and charged to the ſaid regiment.

Ordered, That the ſaid accounts be paid.

Advice being received that the enemy's fleet are in Cheſapeak bay, between Rock Hall and the mouth of Patapſco river,

Ordered, That the board of war give immediate orders for removing the priſoners and public ſtores from Lancaſter and York town to places of greater ſecurity.

That

That the board of treaſury take immediate and effectual meaſures for the ſecurity of the treaſury at Baltimore:

That the preſident write to captain Nicholſon, and inform him it is the deſire of Congreſs, in caſe his veſſel cannot be ſaved from falling into the hands of the enemy otherwiſe than by deſtroying her, that in that caſe he deſtroy her, ſaving as much of her tackle, furniture and ſtores as he can.

Reſolved, That general Waſhington be informed by expreſs of the intelligence Congreſs hath this day received of the Britiſh fleet being advanced high up the bay of Cheſapeak, and therefore that it is probable the enemy have the city of Philadelphia in contemplation; that as the diſtance from the head of the ſaid bay to this city is ſo ſmall, Congreſs wiſh the general in conſequence of this information to proceed in ſuch manner as ſhall appear to him moſt conducive to the general intereſt, notwithſtanding the reſolution of yeſterday concerning his progreſs to the North River.

Reſolved, That Mr. Jones, Mr. Chaſe, and Mr. Roberdeau be a committee to prepare a reſolution for calling forth the militia of Pennſylvania and the neighbouring ſtates.

Congreſs adjourned to five o'clock.

Five o'clock, P. M.

Reſolved, That Lodowig Sprogle be impowered and directed to muſter the militia of Pennſylvania inſtead of the deputy muſtermaſter general, whoſe indiſpoſition prevents his performing that ſervice.

The committee appointed to prepare a reſolution for calling forth the militia, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it be earneſtly recommended to the ſtate of Maryland immediately to call out not leſs than 2000 ſelect militia to repel the expected invaſion of the ſtates of Pennſylvania, Delaware and Maryland; that 1250 of the militia on the weſtern ſhore of Maryland repair as ſoon as poſſible to Baltimore and Hartford towns; that 750 of the militia on the eaſtern ſhore repair as ſoon as poſſible to Georgetown on Saſſafras, there to wait the directions of general Waſhington:

That

That the ſtate of Pennſylvania be requeſted to keep up 4000 of their militia to aſſiſt in repelling the threatened invaſion of the enemy by the way of Cheſapeak and Delaware bays; that theſe rendezvous at Lancaſter, Downing town and Cheſter, as the council of the ſaid ſtate ſhall direct, and that they be ſubject to the orders of general Waſhington:

That the ſtate of Delaware be requeſted to call out 1000 of their militia to rendezvous at New-port and Chriſtiana Bridge, there to wait the orders of general Waſhington:

That the ſtate of Virginia be requeſted to draw out one third of the militia of each of the counties of Prince-William, Fairfax, Loudon, Berkely, Frederick, Dunmore, Faquier and Culpepper, and march them to Frederick-Town in the ſtate of Maryland, there to wait the orders of general Waſhington:

That the militia requeſted from the ſtates aforeſaid be in the pay of the continent to the 30th November next, unleſs ſooner diſcharged by Congreſs or the commander in chief:

That it be recommended to each of the above ſtates to remove all boats and other craft, proviſions, grain, naval and military ſtores, provender, cattle and live ſtock, waggons, carts and horſes, in the way of the enemy's march, to places of ſafety, and to deſtroy what cannot be removed.

That general Waſhington be directed to order brigadier general Smallwood and colonel Giſt to repair immediately to the ſtate of Maryland to arrange, march and command the militia required of that ſtate.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *Auguſt* 23, 1777.

A letter of the 22d from general Waſhington was read:

Alſo a letter of the 21ſt from colonel J. E. Howard at Baltimore; two from governor Johnſon; and ſundry other letters from divers perſons in Baltimore reſpecting the enemy's fleet in Cheſapeak bay; were read.

A letter from lieutenant Edward Cowan, of captain Weaver's company, was read, praying for leave to reſign his commiſſion:

Ordered, That he have leave to reſign.

Reſolved,

Resolved, That the president inform general Washington that Congress never intended by any commission hitherto granted by them, or by the establishment of any department whatever, to supersede or circumscribe the power of general Washington as the commander in chief of all the continental land forces within the United States.

A letter of this day from general Washington was read:

Ordered, That it be referred to the board of war.

The committee to whom was re-committed the report on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, brought in a report, which was taken into consideration; whereupon

It was moved instead of "three members of Congress," to insert "the judge advocate with the assistance of —— and ——" should conduct the enquiry;

Passed in the negative.

It was then moved, that three commissioners, not members of Congress, should conduct the enquiry;

On this the states were qually divided.

The yeas and nays are as follows:

Y E A S.	
Mr. Gerry,	Mr. Chase,
Mr. Lovel,	Mr. Harrison,
Mr. Law,	Mr. F. L. Lee,
Mr. Duane,	Mr. Jones,
Mr. Duer,	Mr. Harnett.
Mr. Witherspoon,	Mr. Penn,
Mr. Wilson,	Mr. Middleton,
Mr. Clymer,	Mr. Walton.
N A Y S.	
Mr. Folsom,	Mr. Roberdeau,
Mr. Frost,	Mr. W. Smith,
Mr. S Adams,	Mr. R. H. Lee,
Mr. Marchant,	Mr. Heyward,
Mr. Dyer,	Mr. Laurens,
Mr. Williams,	Mr. Brownson.
Mr Sergeant,	
Mr. Clark,	

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY,

MONDAY, *Auguſt* 25, 1777.

A letter of the 23d from general Waſhington, incloſing a copy of a letter of the 11th from general Schuyler reſpecting ſome Caghnawaga Indians; alſo a letter of the 20th from general gates at Van Schaack's Iſland; one of the 24th from colonel H. Hollingſworth at the head of Elk; one of the 13th from colonel G. Morgan at fort Pitt, with a copy of ſundry conferences held with the Indians; and one of the 16th from doctor Shippen; were read:

Ordered, That general Waſhington's letter be referred to the committee on Indian affairs; that ſo much of colonel Morgan's letter as relates to money be referred to the board of treaſury, and that the remainder, with the papers incloſed, be referred to the board of war; that the letter from doctor Shippen be referred to the medical committee.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due, To Peter and Daniel Mallet, a balance of their accounts for ſupplying and paying the nine regiments from North Carolina, their rations from the time of leaving that ſtate to the 1ſt of Auguſt inſtant, amounting to 14613 39-90 dollars, of which they received from Benjamin Harriſon, eſq; deputy paymaſter general in Virginia, 10,000 dollars, and credit for rations drawn out of the public ſtores, 1020 50-90 dollars, and for over charge in rations ſupplied 171 2-90 dollars; the balance is 3421 77-90 dollars:

To colonel Hazen 800 dollars, being for one hundred half Johannes' he paid to lieutenant colonel Edward Antil of his regiment in February 1776, to be employed in raiſing recruits for a regiment of Canadians, and for which ſum colonel Antil is to be accountable; this ſum was charged in colonel Hazen's account reported the 30th of laſt month, but the commiſſioners deducted it from the balance, until colonel Antil's receipt ſhould be produced, which is now done:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That there be advanced to the delegates of the commonwealth of Virginia 19168 dollars, agreeable to an application from governor Henry of the ſaid commonwealth,

monwealth, by letters dated the 24th of July and an account of expenditures made by the ſaid commonwealth, for the uſe of the United States, and for which the ſaid commonwealth is to be accountable:

That there be paid to the chevalier de Failly 380 dollars, in addition to 100 dollars advanced him by a warrant the 6th inſtant, it being in full of his pay as lieutenant colonel for eight months from the 1ſt of December laſt, and for which he is to be charged:

That a warrant be iſſued in favor of the board of war for 500,000 dollars, to be ſent to the paymaſter general for the uſe of the army, and for which the ſaid paymaſter general is to be accountable.

Reſolved, That the ſame pay be allowed to the officers who ſerved on board the fleet on lake Champlain as is allowed to officers of equal rank belonging to the navy of the United States.

Ordered, That there be advanced to William Buchanan, eſquire, commiſſary general of purchaſes, 100,000 dollars, for the uſe of his department, he to be accountable.

Ordered, That the board of war take ſpeedy and effectual meaſures for having ſix thouſand ſtand of arms brought from the magazine at Springfield to head quarters.

A letter of this day from general St. Clair was read.

A petition from Henry Sherer, one from Jonathan Pearſon, one from Juliana Zedwitz, one from Conrad Miller, one from captain Tenet, and one from William Bunting, were read:

Ordered, That they be diſmiſſed.

A petition from John Rodgers, and one from Berſheba Parſons were read:

Ordered, To lie on the table, and that the petitioners have leave to withdraw them.

A petition from John Cox was read:

Ordered, To lie on the table.

A memorial from count Pulaſky was read:

Ordered, That it be referred to the committee on foreign applications.

A memorial from Lewis John Baptiſt Chamberon de Dantignac, a petition from Margaret Crohon, one from Thomas Hill, one from Shewbert Armitage, and one from Mary Quick, were read:

Ordered, That they be referred to the board of war.

A memorial from lieutenant Jean Baptiſt Moargues, and one from baron Holzendorf; alſo a petition from Elizabeth Parſons, and one from captain Buiſben, were read:

Ordered, That they be referred to the board of treaſury.

A memorial from Leonard Prime and others officers of the fleet on lake Champlain was read:

Ordered, That it be referred to the marine committee.

A petition from Levi Hollingſworth and Nicholas Ruſk was read:

Ordered, That it be referred to the delegates of Pennſylvania and Maryland.

A letter of this day from general Waſhington at Cheſter, incloſing a copy of a letter of the 20th from general Schuyler at Albany, with a return of the Northern army; alſo a copy of one of the 19th from general Lincoln to general Schuyler, with a copy of general Burgoyne's inſtructions to lieutenant colonel Baum, was read:

Ordered, That the inſtructions of general Burgoyne to lieutenant colonel Baum be referred to the committee of intelligence.

Congreſs reſumed the report on the mode of conducting the enquiry into the cauſes of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, and the queſtion being put to agree to the firſt paragraph,

Reſolved in the affirmative.

The yeas and nays being required by the ſtate of New-Hampſhire, are as follows:

YEAS.	YEAS.	NAYS.
Mr. Froſt,	Mr. Williams,	Mr. Duer,
Mr. Folſom,	Mr. Clark,	Mr. Wilſon,
Mr. S. Adams,	Mr. Sergeant,	Mr. Morris,
Mr. J. Adams,	Mr. Elmer,	Mr. Chaſe,
Mr. Gerry,	Mr. Roberdeau,	Mr. W. Smith,
Mr. Lovell,	Mr. R. H. Lee,	Mr. Jones,
Mr. Marchant,	Mr. F. L. Lee,	Mr. Burke,
Mr. Dyer,	Mr. Laurens,	Mr. Harnett.
	Mr. Brownſon.	Mr. Penn,

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *Auguſt* 26, 1777.

A letter of the 25th from general Waſhington at Wilmington, incloſing a copy of a letter from H. Hollingſworth; a letter

letter of the 24th from colonel Hollingſworth; one of the 13th from lieutenant colonel Carrington at Yorktown Virginia; and an application from monſ. du Coudray; were read.

Ordered, That ſo much of monſ. du Coudray's application as relates to money be referred to the board of treaſury, and the remainder to the board of war:

That the copy of the letter from colonel Hollingſworth be referred to the committee of intelligence.

The delegates of Georgia laid before Congreſs a letter from Ebenezer S. Platt, dated Newgate in London, 16th of May 1777, and directed to Seth Cuthbert, merchant in Georgia, repreſenting that he had been apprehended and impriſoned on account of having acted under the authority of Congreſs, and requeſting to be ſupplied with a ſum of money, and that he may be demanded in exchange; whereupon

Reſolved, That the American commiſſioners at the court of France be directed to ſupply the ſaid Ebenezer S. Platt with a ſum not exceeding one hundred pounds ſterling; and that they demand his perſon in exchange for ſome perſon in our power:

Reſolved, That the ſum ſo to be advanced be charged to the ſtate of Georgia.

A memorial from colonel A. Spotſwood, of the 2d Virginia regiment, with ſundry papers therein referred to, was laid before Congreſs and read.

Ordered, That the ſame be referred to the board of war.

A motion was made to order the firſt and third battalions of New-Jerſey troops to be ſtationed in New-Jerſey until the further order of Congreſs, and to take ſuch poſts as will be moſt effectual for ſecuring the parts of New-Jerſey lying to the Northward of Amboy from the frequent excurſions of the enemy from Staten-Iſland; and that general Waſhington be informed of the ſaid battalions being detained for the above purpoſe:

Queſtion put, paſſed in the negative.

Reſolved, That if any member chuſes to have the ayes and noes taken upon any queſtion, he ſhall move for the ſame previous to the preſident's taking the ſenſe of the houſe on ſuch queſtion, and if the motion be ſeconded, the individual members of each ſtate ſhall be called upon to anſwer ay or no to the queſtion, which anſwer ſhall be entered on the journal and the queſtion be determined by the majority of ſtates as the majority of votes in each ſhall make appear.

Resolved, That it be recommended to his excellency the president and the honorable the executive council of the state of Pennsylvania to lend the commander in chief two brass twelve pounders belonging to the said state.

Resolved, That the supreme executive council of Pennsylvania be requested to order all the leaden spouts in Philadelphia to be taken down for the use of the laboratory.

A petition from Charles Craig and Thomas Dorsey was read: Ordered to lie on the table.

Congress resumed the consideration of the memorial from colonel Hazen, the report of the board of treasury, and the report of the commissioners of claims on the account of colonel Hazen; and after debate

Ordered, That the said reports be re-committed.

Resolved, That the commissioners of claims be instructed to distinguish between the sums due to colonel M. Hazen for hard money advanced by him, and those due to him for commodities furnished by him for the use of the army in Canada.

Resolved, That the former sums be repaid to him in hard money with interest at six per cent. from the 1st May 1776.

Ordered, That 10,000 dollars be advanced to the delegates of Maryland for the use of that state, which is to be accountable.

Whereas the states of Pennsylvania and Delaware are threatened with an immediate invasion from a powerful army, who have already landed at the head of Chesapeak bay; and whereas the principles of policy and self-preservation require that all persons who may reasonably be suspected of aiding or abetting the cause of the enemy may be prevented from pursuing measures injurious to the general weal:

Resolved, That the executive authorities of the states of Pennsylvania and Delaware be requested to cause all persons within their respective states notoriously disaffected forthwith to be apprehended, disarmed and secured, till such time as the respective states think they may be released without injury to the common cause.

Resolved, That it be recommended to the supreme executive council of the state of Pennsylvania to cause a diligent search to be made in the houses of all the inhabitants of the city of Philadelphia who have not manifested their attachment to the American cause, for fire arms, swords and bayonets; that the owners of the arms so found be paid for them at an appraised value, and that they be delivered to such of the militia of the state of Pennsylvania who are at present unarmed and have been called into the field. *Ordered*,

Ordered, That the board of war furniſh the ſtate of Maryland with as many fire arms as can be ſpared for arming their militia now called into ſervice.

The board of treaſury brought in a report, which was taken into conſideration; whereupon

Ordered, That there be advanced to lieutenant colonel baron de Holtzendorf 300 dollars, for which he is to be accountable.

Ordered, That there be advanced to colonel G. Morgan 20,000 dollars, for the uſe of his department, and for which he is to be accountable:

That there be advanced to lieutenant colonel the chevalier de Failly 184 dollars, for three months pay from the firſt of this month:

That there be advanced to major de Bois 150 dollars, for three months pay, commencing the firſt of this month.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due,

To James Mitchel, late a ſerjeant in colonel Stewart's regiment, three months half pay, being from the 1ſt day of May laſt, the time he ſettled with the paymaſter, to the 1ſt inſtant, at which time he enliſted in colonel Nicola's corps, he being an invalid, 12 dollars:

To the commiſſioners of claims 8 dollars, which they advanced to Samuel Hamel, James Mc Calliſter, &c. for taking up a certain Robert M'Cann, a deſerter from captain Robert Smith's company, of colonel Feebucker's regiment, and delivered him to Robert Jewell, keeper of the ſtate priſon, viz. 5 dollars for taking him up and 3 dollars for expences:

To Nathaniel Jones, a balance for the hire of his waggon impreſſed to bring money from Baltimore, 11 days out and home, 42 dollars, of which he received from M. Hillegas, eſq; 20 dollars; the ballance is 22 dollars:

To ſundry perſons of Northumberland county belonging to colonel Potter's battalion of militia, for rifles, guns and blankets taken and appraiſed for the uſe of captain William Gray's company of the ſaid battalion ſome time in December laſt, which articles were not returned to the owners, but delivered up to the continental ſtore, as appears by certificates 1208 12-90 dollars, and that the ſame ought to be paid to brigadier Potter or his order:

Ordered, That the ſaid accounts be paid.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o' clock to-morrow.

WEDNESDAY,

WEDNESDAY, *Auguſt* 27, 1777.

A letter of the 25th from J. M'Kinly, preſident of the ſtate of Delaware; one of the 5th and one of the 10th from brigadier general de Roche Fermoy were read:

Ordered, That they be referred to the board of war.

A petition from Peter Frances de Bois was read:

Ordered, That it be diſmiſſed.

A letter from colonel Bailor to colonel Harriſon was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

The board of war, to whom the petition of Lewis John Baptiſte Chamberon de Dantignac, was referred, brought in a report, which was read; whereupon

Ordered, That the petition be diſmiſſed.

A petition from monſ. de Ganot was read.

Congreſs reſumed the conſideration of the report of the committee on the mode of conducting the enquiry into the cauſes of the evacuation of Ticonderoga and Mount Independence, &c.

In conſidering the 2d paragraph, it was moved to add theſe words, "and his reaſons for abſence from Ticonderoga at the time of the enemy's approach to that poſt;"

Queſtion put, paſſed in the negative.

In debating the 7th paragraph ſundry amendments were moved and agreed, viz.

After "number" inſert "equipment."

After "militia" inſert "and the term of ſervice for which they were engaged."

On motion to ſtrike out "where the general officers marched in the retreat" and inſert in lieu thereof "and the manner in which the retreat was conducted."

New-Hampſhire,	Mr. Froſt,	*no*	*no*
	Mr. Folſom,	*no*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connnecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Sergeant,	*no*	
	Mr. Elmer,	*ay*	

Pennſylvania,

Pennſylvania,	Mr. Morris,	*ay*	*ay*
	Mr. Wilſon,	*ay*	
	Mr. Clymer,	*ay*	
	Mr. Roberdeau,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. W. Smith,	*ay*	
Virginia,	Mr. Harriſon,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. Jones,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Burke,	*ay*	
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*divided.*
	Mr. Laurens,	*no*	
Georgia,	Mr. Brownſon,	*ay*	*ay*

So it was reſolved in the affirmative.

In debating the 8th paragraph it was moved and agreed after "number" to inſert "and ſize:"

after "cannon" to inſert "and whether any were removed before the evacuattion."

A motion was made to ſtrike out the laſt paragraph, viz.

"That if upon ſuch enquiry a well grounded ſuſpicion ſhall ariſe, that the loſs of thoſe important poſts was owing to neglect or miſconduct of any officer or officers in ſaid department, Congreſs may give the neceſſary direction for bringing ſuch officer or officers to trial, according to the rules and articles of war:" and inſtead thereof inſert,

"That upon ſuch enquiry and collection of facts, the whole be tranſmitted by the ſaid committee to general Waſhington, with direction for him to proceed thereupon, either by court of enquiry or court martial, as ſhall be moſt proper and comformable to the law martial, for examining into the conduct of the general officers who commanded in the Northern department at the time Ticonderoga was evacuated:"

It was moved to amend this by ſtriking out "either by court of enquiry or court martial, as ſhall be moſt proper and conformable to the law martial," and inſtead thereof to inſert theſe words, "agreeable to the rules and articles of war:"

Another amendment was moved, to ſtrike out what follows the

the word "facts," and insert "a copy of the whole be transmitted by the said committee to general Washington, and that thereupon he appoint a court martial for the trial of the general officers who were in the Northern department when Ticonderoga and mount Independence were evacuated, agreeable to the rules and articles of war."

Question put on the last amendment, resolved in the affirmative.

Question was then put on the motion as amended—

New-Hampshire,	Mr. Frost,	*no*	*no*
	Mr. Folsom,	*no*	
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New-Jersey,	Mr. Clark,	*ay*	*ay*
	Mr. Sergeant,	*ay*	
Pennsylvania,	Mr. Wilson,	*ay*	*ay*
	Mr. Clymer,	*ay*	
	Mr. Roberdeau,	*ay*	
Maryland,	Mr. Chase,	*ay*	*divided.*
	Mr. W. Smith,	*no*	
Virginia,	Mr. Harrison,	*ay*	*ay*
	Mr. R. H. Lee.	*no*	
	Mr. F. L. Lee,	*ay*	
	Mr. Jones,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*divided.*
	Mr. Laurens,	*no*	

So it was resolved in the affimative.

The report as amended and agreed to is as follows:

Resolved, That a committee of three members of Congress be appointed and authorised to correspond with public or private persons, by letter or otherwise, in this and the neighbouring states, in order to collect the clearest and fullest evidence of the state of the army in the Northern department, and also of the state of the troops, military stores and provisions, at the said posts before and at

and at the time when the evacuation was determined upon:

To call for and examine the minutes of the council of war, to enquire what orders were given from time to time by the commander in chief of that department:

To enquire particularly if the barracks and ſtores were deſtroyed or left ſtanding:

To enquire of the quarter maſter general and commiſſary general what quantity of proviſion had been laid up at Ticonderoga or near it for the uſe of the garriſon, and what meaſures were taken or taking for throwing in farther ſupplies:

To inform themſelves as fully as poſſible of the number, appointment and movements of the enemy from the time of their landing to the time of evacuating the fort, and alſo of the number, quality and condition of the garriſon; and if any, and what meaſures were taken to gain intelligence of the ſtrength of the enemy by the commander in chief or the commanding officer at Ticonderoga:

To enquire of the cloathier general what cloathing from time to time had been iſſued for the uſe of the Northern department, and from other public officers into the expenditure of ſuch general iſſues:

To enquire into the number, equipment and behaviour of the militia and the term of ſervice for which they were engaged, at and before the time of the evacuation; into the ſituation and condition of the lines at Ticonderoga and the fortifications upon Mount Independence; what works had been thrown up by the enemy, what poſts they had taken and the diſtance of their works; what orders had been given by the commanding officer for directing and regulating a retreat, and the manner in which the retreat was conducted; what orders were given relative to the ſick, what care taken of them; whether any continental troops and what number were at Albany or in the neighbourhood, how long they had been there, and why they were not ordered to Ticonderoga:

To enquire into the number and ſize of cannon, and whether any were removed before the evacuation, the quantity and ſpecies of military ſtores, the ſtate of the arms, both of the continental ſoldiers and militia, whether the troops were furniſhed with bayonets and whether there were

any and what number of pikes or ſpears proper for defending lines:

That upon ſuch enquiry and collection of facts, a copy of the whole be tranſmitted by the ſaid committee to general Waſhington, and that thereupon he appoint a court martial for the trial of the general officers who were in the Northern department when Ticonderoga and Mount Independence were evacuated, agreeable to the rules and articles of war.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *Auguſt* 28, 1777.

A letter of the 21ſt from general Waſhington, incloſing a copy of a letter of the 29th of May from B. Franklin at Paris, reſpecting the count Pulaſky; alſo a letter of the 25th from count Pulaſky; one of the 14th from Joſeph Trumbull, eſq; at the croſs roads; and a petition from John Young were read: alſo a letter from baron de Kalb, incloſing a letter directed to general Howe, and a letter of the 25th from M. Hillegas, treaſurer at Yorktown; were read:

Ordered, That the letter from Mr. Trumbull and that from Mr. Hillegas be referred to the board of treaſury; that the petition from J. Young, and ſo much of the baron de Kalb's letter as relates to his application for leave to return to France, by the way of New-York, be referred to the board of war:

That the remainder of the baron de Kalb's letter and the letter from general Waſhington, with the one encloſed, and the letter from count Pulaſky be referred to the committee on foreign applications.

A letter of the 24th from brigadier A. Buchanan at Baltimore was read.

Reſolved, That the committee appointed to take into conſideration the ſtate of South-Carolina and Georgia, be alſo impowered to conſider and report upon the ſtate of North-Carolina.

Congreſs proceeded to the election of the committee to collect evidence and facts relative to the evacuation of Ticonderoga and Mount Independence, and the ballots being taken,

Mr. Laurens, Mr. R. H. Lee, and Mr. J. Adams, were elected.

Ordered,

Ordered, That a copy of the resolutions respecting the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and mount Independence, &c. be sent to each of the general officers who were in the Northern department at the time of the evacuation, and that they be published in the news papers.

Ordered, That 3000 dollars be advanced to the secretary of the board of war for public service, he to be accountable.

A letter of the 25th from general Sullivan at Hanover, with sundry papers inclosed, also another from him without date, were read:

Ordered, That the letter of the 25th, with the papers inclosed, be referred to a committee of three;

The members chosen Mr. J. Adams, Mr. Duer and Mr. R. H. Lee.

Resolved, That when a state is unrepresented in Congress, and the yeas and nays are called for, the opinion of the members of the state unrepresented shall be called for and entered on the journal, the name of such members being distinguished by an asterisk.

Resolved, That Congress will to-morrow morning, immediately after reading the public letters, resolve itself into a committee of the whole, to consider farther the report of the treasury on the ways and means of raising supplies and the letters of the commissioners at Paris referred to them.

Ordered, That 3000 dollars be advanced to the president for public service, he to be accountable.

A letter of the 26th from James Mease, esquire, cloathier general, was read:

Ordered, That it be referred to the board of treasury.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due,

To Abraham Berlin, chairman of the committee of Northampton county, for his account of rations supplied colonel Hand's battalion last winter at Easton, as well as the militia who were on their way to camp, 834 22-90 dollars, and for his trouble and expences in advancing great part of the money and for paying the remainder, 40 dollars, the whole amounting to 864 22-90 dollars:

Ordered, That the said account be paid.

Congress resumed the consideration of the report of

the committee appointed to enquire into the ſtate of the army; whereupon

Reſolved, That the cloathier general be directed forthwith to inform himſelf, as nearly as may be, of the number of blankets, ſhoes, hoſe and ſhirts, that will be wanted for the troops of the United States in the fall and winter next enſuing, excluſive of thoſe now in ſtore, or for which he has contracted; that he apply for the ſame to the ſeveral aſſemblies or executive authorities of the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-Jerſey, Pennſylvania and Delaware, in proportion to the number of inhabitants of each ſtate, and ſend to each an atteſted copy of this reſolve: and it is earneſtly recommended to the ſeveral ſtates aforeſaid to call on the inhabitants of their reſpective counties, cities, towns or diſtricts to manufacture or furniſh their proportions of the ſaid articles; and the ſaid ſtates are deſired to appoint ſuitable perſons to inſpect the quality of the articles thus ſupplied, and to order them to be delivered to the cloathier's agent in each ſtate, who is hereby directed to pay for the ſame on the delivery thereof:

That the cloathier general be directed forthwith to apply to the commander in chief and commander of each continental diſtrict, and inform himſelf of the number of aſſiſtant cloathiers neceſſary for the army and detached parts within their ſeveral commands; that he appoint without delay as many aſſiſtants as they may reſpectively judge neceſſary, and report their names to Congreſs; that he take effectual care to ſend to each aſſiſtant a proportion of the cloathing on hand, and full ſupplies as ſoon as may be, ordering the ſaid aſſiſtants to give receipts for the ſame; that he be careful to direct the ſeveral aſſiſtants to give to each non-commiſſioned officer and ſoldier the cloathing due to him by the articles of inliſtment and take receipts; and that they ſupply the army with ſuch other cloathing as ſhall be neceſſary at the average coſt and charges thereof; that he furniſh each aſſiſtant with the names of the non-commiſſioned officers and ſoldiers of the diviſions or corps to which he may be aſſigned, who have received the bounty of cloathing or any part thereof, and alſo with the account of each officer and ſoldier in ſuch diviſion or corps, who is indebted to the United States for articles of cloathing, that he direct each aſſiſtant

tant on the firſt day of every month to render to the reſpective regimental paymaſters in the diviſions or corps to which he is aſſigned, particular accounts of all the cloathing for which the officers and men are reſpectively indebted; and the ſeveral regimental paymaſters are hereby directed to make the proper ſtoppages from the pay rolls for diſcharging the ſaid accounts, and to deliver the money to the aſſiſtant cloathiers reſpectively, taking their receipts and delivering them to the paymaſter or deputy paymaſter general to be filed in his office until required by the commiſſioners of accounts or other proper authority; that the ſeveral aſſiſtants deliver the money ſo received to the clothier general and account with him for all the cloathing which they may receive as aforeſaid.

Reſolved, That the farther conſideration of the report be poſtponed.

Reſolved, That general Waſhington be directed, if the ſervice will permit, to order a ſkilful engineer and an experienced artilleriſt to repair immediately to the city of Annapolis in the ſtate of Maryland, there to obey the directions of the governor and council of that ſtate.

Ordered, That monſ. P. F. de Bois repair immediately to the Northern department.

Congreſs adjourned to five o'clock.

Five o'clock, P. M.

In purſuance of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due,

To Abraham Terrill and Charles Tooker, for the damages they ſuſtained in a ſmall ſchooner belonging to them in her ſails, rigging and hull, the ſaid ſchooner being employed by general Mercer in an intended attack on Staten Iſland July 1776, in which ſhe was ſunk and ſuffered the ſaid damages, agreeable to appraiſement and certificates, 134 60-90 dollars, to be paid to Abraham Clark, eſquire:

To Belcher P. Smith, for three months ſervices to general Maxwell laſt winter in Jerſey in capacity of his clerk, and for other ſervices, 150 dollars.

To Robert Jewell, his account of diet for priſoners from 22d July to 29th inſtant incluſive, 371 52-90 dollars:

To Allen Cameron, a balance of his allowance as priſoner,

ſoner from 24th December 1776 to 25th July laſt, 54 77-90 dollars.

To enſign Enoch Welſh, his expences conducting Britiſh priſoners to their lines and on his return to this city, being ſix days for himſelf and horſe 17 12-90 dollars:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That the pay of the deputy paymaſter general of the Northern, Eaſtern and Southern departments be augmented to 80 dollars per month.

That the aſſiſtants to the paymaſter general and deputy paymaſters general, whom they are reſpectively authoriſed to appoint where ſuch officers ſhall be neceſſary, ſhall receive for the time of their actual ſervice 50 dollars a month:

That the paymaſter general and deputy paymaſters general ſhall be obliged reſpectively to take bond of their reſpective aſſiſtants appointed by them for the faithful performance of their truſt, in ſuch penalties as the commander in chief or commanding officer of the department ſhall direct.

Reſolved, That there be advanced to colonel Flowers, commiſſary general of military ſtores, 50,000 dollars for the uſe of his department, for which he is to be accountable.

The committee to whom the letter from general Sullivan, with the papers incloſed, was referred, report,

"That the ſeveral teſtimonies which have been publiſhed ſince the commencement of the preſent conteſt betwixt Great-Britain and America, and the uniform tenor of the conduct and converſation of a number of perſons of conſiderable wealth who profeſs themſelves to belong to the ſociety of people commonly called Quakers, render it certain and notorious that thoſe perſons are with much rancour and bitterneſs diſaffected to the American cauſe: that as theſe perſons will have it in their power, ſo there is no doubt it will be their inclination, to communicate intelligence to the enemy, and in various other ways to injure the counſels and arms of America:

That when the enemy in the month of December 1776 were bending their progreſs towards the city of Philadelphia, a certain ſeditious publication addreſſed "To our

"friends

"friends and brethren in religious profeſſion in theſe and "the adjacent provinces," ſigned "John Pemberton in "and on behalf of the Meeting of Sufferings held at Phi- "ladelphia for Pennſylvania and New Jerſey, the 26th of "12th month 1776," was publiſhed, and as your committee is credibly informed circulated amongſt many members of the ſociety called quakers throughout the different ſtates:

That as the ſeditious paper aforeſaid originated in the city of Philadelphia, and as the perſons whoſe names are under mentioned have uniformly manifeſted a diſpoſition highly inimical to the cauſe of America, therefore

Reſolved, That it be earneſtly recommended to the ſupreme executive council of the ſtate of Pennſylvania forthwith to apprehend and ſecure the perſons of Joſhua Fiſher, Abel James, James Pemberton, Henry Drinker, Iſrael Pemberton, John Pemberton, John James, Samuel Pleaſants; Thomas Wharton, ſenior, Thomas Fiſher ſon of Joſhua, and Samuel Fiſher ſon of Joſhua, together with all ſuch papers in their poſſeſſion as may be of a political nature.

"And whereas there is ſtrong reaſon to apprehend that theſe perſons maintain a correſpondence and connection highly prejudicial to the public ſafety; not only in this ſtate, but in the ſeveral ſtates of America

Reſolved, That it be recommended to the executive powers of the reſpective ſtates forthwith to apprehend and ſecure all perſons, as well among the people called quakers as others, who have in their general conduct and converſation evidenced a diſpoſition inimical to the cauſe of America; and that the perſons ſo ſeized be confined in ſuch places and treated in ſuch manner as ſhall be conſiſtent with their reſpective characters and ſecurity of their perſons:

That the records and papers of the Meetings of Sufferings in the reſpective ſtates be forthwith ſecured and carefully examined, and that ſuch parts of them as may be of a political nature be forthwith tranſmitted to Congreſs."

The ſaid report being read, and the ſeveral paragraphs conſidered and debated, and the queſtion put ſeverally thereon, the ſame was agreed to.

Ordered, That the board of war remove under guard to a place of ſecurity out of the ſtate of Pennſylvania, the

the honorable John Penn, esquire, and Benjamin Chew, esquire; and that they give orders for having them safely secured and entertained agreeable to their rank and station in life.

A letter of the 28th from general Washington at Wilmington was read:

Ordered, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *August* 29, 1777.

A letter of the 27th from general Washington at Wilmington was read.

A motion being made respecting the militia,

Ordered, That it be referred to the board of war.

Resolved, That governor Livingston be requested to lend Congress such number of arms as can be procured in the state of New-Jersey, or if arms can be purchased in that state that he will appoint proper persons to collect and pay for them at continental expence.

Congress was resolved into a committee of the whole to consider the report of the committee on ways and means, &c. and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the report to them referred but not having come to a conclusion desire leave to sit again.

Resolved, That to-morrow Congress will resolve itself into a committee of the whole, to consider farther the report of the committee on ways and means, &c.

Resolved, That each assistant cloathier be allowed 50 dollars a month, and the rations of a captain.

The committee on the treasury brought in a report, which was taken into consideration, whereupon

Ordered, That there be advanced to lieutenant colonel chevalier de Franval 540 dollars, for nine months pay commencing 1st December last, ending 1st September next.

That there be advanced to James Mease, esquire, cloathier general. 20,000 dollars, to be remitted by him to Georgia for cloathing the continental troops in that state; which sum is part of the money directed to be sent to that state, for the use of the said troops.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

SATURDAY,

SATURDAY, *Auguſt* 30, 1777.

A letter of the 29th from general Waſhington at Wilmington was read.

A memorial from captain Wendal Owry was preſented to Congreſs:

Ordered, That it be referred to the board of treaſury.

According to the order of the day Congreſs reſolved itſelf into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. Harriſon reported, that the committee have had under their farther conſideration the matter referred to them, and have made ſome progreſs therein, but not having come to a concluſion, deſire leave to ſit again.

Reſolved, That on Monday next Congreſs will reſolve itſelf into a committee of the whole, to conſider farther the report of the treaſury on the ways and means of raiſing ſupplies, &c.

The board of war report "that there are in Philadelphia between two and three thouſand arms which might in a ſhort time be repaired, if workmen could be procured to perform the ſervice, but as great numbers of the artificers are in the militia, few of thoſe arms will be ſpeedily repaired unleſs the workmen are permitted to leave the field and work on the arms;" whereupon

Reſolved, That general Waſhington be directed to detach from the militia, as ſoon as poſſible, ſuch a number of workmen as he ſhall think neceſſary to repair with diſpatch the arms now in the city of Philadelphia, as there is no other mode of ſupplying the demands of the militia of Pennſylvania, Delaware and Maryland ſtates, great numbers of whom are now in the field without arms.

Ordered, That the petition of John Young, "for leave to depart from the continent," be rejected.

A motion was made to advance a ſum of money to the delegates of Georgia:

Ordered, That it be referred to the board of treaſury.

The medical committee brought in a report, which was taken into conſideration; whereupon

Reſolved, That the ſeveral iſſuing commiſſaries be directed to furniſh the director general, or any of the deputy directors or their aſſiſtants, with ſuch proviſions as any of them ſhall from time to time demand by an order in writing for the uſe of any temporary hoſpital which ſhall be eſtabliſhed,

ed, which order with the receipt of the ſteward endorſed thereon, ſhall be a ſufficient voucher for ſuch iſſuing commiſſary, who is alſo required to keep ſuch vouchers ſeparate, and make a ſeparate entry of the ſame in his books, charging the director who ordered the ſame, therewith.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *September* 1, 1777.

A letter of the 30th of Auguſt from general Waſhington at Wilmington; one of the 25th of the ſame month from general Gates, incloſing a letter of the 23d from general Arnold at Mohawk river, ten miles above fort Dayton; and one of the 22d from colonel Ganſevort at fort Schuyler; another letter of the 28th of Auguſt from general Gates, incloſing one of the 24th from general Arnold, giving an account that the enemy have retreated from fort Schuyler with the greateſt precipitation, leaving their tents ſtanding, their proviſions, ammunition, &c. were read.

Another letter of the 28th of Auguſt from general Gates, with a paper incloſed reſpecting the cloathing granted to ſoldiers; one of this date from general Arthur St. Clair, one of the 27th of Auguſt from Jonathan Hudſon at Baltimore; one of the 28th from R. White, deputy commiſſary general of iſſues, reſpecting the rations claimed by the ſoldiers; and one of the 31ſt from general Sullivan, giving an account of his expedition on Staten-Iſland, were read:

Ordered, That the letters from the Northern department and that from general Sullivan be referred to the committee of intelligence:

That the letter of the 28th of Auguſt from general Gates, with the paper incloſed reſpecting cloathing, be referred to the board of treaſury.

Ordered, That a copy of brigadier de Roche Fermoy's letter of the 25th of July, be delivered to general St. Clair:

That the letter from Jonathan Hudſon, be referred to the board of treaſury, and that from R. White to the board of war.

Reſolved, That general Waſhington be directed to appoint a court of enquiry on the late expedition by general Sullivan againſt the Britiſh forces on Staten-Iſland.

Ordered,

Ordered, That 10,000 dollars be advanced to the marine committee, for public ſervice at Baltimore, the ſaid committee to be accountable.

Reſolved, That a committee of three be appointed to deviſe a plan of ſupplying the army with neceſſaries on the moſt reaſonable terms, and that they ſit on this buſineſs and report as ſoon as poſſible:

The members choſen Mr. Morris, Mr. Chaſe and Mr. Duer.

Reſolved, That three commiſſioners be appointed immediately to conſider of the practicability of burning the enemy's fleet in Cheſapeak bay; that they conſult with general Waſhington on this ſubject, and if it appears likely to be effected, that they proceed with all diligence to the execution thereof, that they be authoriſed to purchaſe on the moſt reaſonable terms they can, or employ any veſſels that may be convenient for the purpoſe of fire ſhips, and that they have power to make uſe of any continental merchant ſhips or veſſels that may be near the place for the ſame ſervice; and that they have authority to purſue all ſuch meaſures as may be effectual to the right execution of this important buſineſs; and in caſe it ſhall be judged proper to undertake the project, that the ſame rewards be given to thoſe employed in the execution as are offered for the ſame purpoſe in Delaware river and at Rhode-Iſland.

Ordered, That the appointment of commiſſioners be poſtponed till to-morrow.

The committee on the treaſury brought in a report; whereupon

Ordered, That the preſident iſſue a warrant to the treaſurer to tranſmit to John Gibſon, eſquire, auditor general eight hundred and eighty-four thouſand dollars, for which the ſaid auditor general is to be accountable:

That there be advanced to Matthew Irwine, agent to Joſeph Trumbull, eſq; late commiſſary general, 50,000 dollars, which Mr. Trumbull repreſents to be neceſſary to diſcharge contracts he is engaged in for proviſions and for which he is to be accountable.

Whereas two bills have been preſented to the delegates of Georgia, drawn on them by the governor of the ſtate of Georgia, and both dated the 12th day of July laſt; by one of which the ſaid delegates are requeſted to pay to Thomas Scott, eſquire, or order, the ſum of 14,000 dollars,

lars, for the purpoſe of recruiting men for the third battalion of the continental troops in that ſtate; and by the other to pay captain Clement Naſh, or order, 5000 dollars for the ſame purpoſe; and the ſaid delegates having applied to Congreſs to advance the ſaid money on account of the ſaid ſtate, to enable them to diſcharge the ſaid bills,

Ordered, That the amount of the ſaid two bills, being 19,000 dollars be accordingly advanced to the delegates of Georgia, for which that ſtate is to be accountable, and that the ſame be conſidered and charged as part of the money agreed to be tranſmitted to Georgia for the uſe of the continental troops in that ſtate.

Ordered, That there be advanced to captain D'Antignac 120 dollars for three months pay, for which he is to be accountable.

According to the order of the day Congreſs reſolved itſelf into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. Harriſon reported that the committee have had under their further conſideration the matters referred to them, but not having come to a concluſion deſire leave to ſit again.

Reſolved, That to-morrow Congreſs will reſolve itſelf into a committee of the whole, to conſider farther the report of the treaſury on the ways and means of raiſing ſupplies.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *September* 2, 1777.

Two letters of the 1ſt from general Waſhington at Wilmington, one of them incloſing a declaration of general Howe of the 27th Auguſt, alſo intelligence from capt. Hopkins and a depoſition of Francis Alexander relative to brutal behaviour of ſome of the enemy; alſo a letter of the 26th Auguſt from Pierre Van Cortlandt, preſident of the council of ſafety of New-York, with ſundry papers incloſed; one of the 27th of the ſame month from general Putnam, with the proceedings of courts martial on Amos Roſe and Lemuel Ackerly; and a letter from J. Hudſon at Baltimore; were read:

Ordered, That the letter from J. Hudſon be referred to the board of treaſury.

Reſolved, That the preſident write to general Putnam, and inform him that in conſequence of his recommendation Congreſs

greſs agree to his pardoning Amos Roſe and Lemuel Ackerly who are ſentenced to death by the judgement of a court martial.

Reſolved, That the allowance of a major general in a ſeparate department be extended and allowed to major general Putnam from the time he took the command of the forces at Peakſkill, to be continued to him ſo long as he remains in that command.

Ordered, That the letters from general Waſhington, with the papers incloſed, be referred to the committee of intelligence.

A memorial from James Viellon and John Tennet was read:

Ordered, That it be referred to the committee of commerce.

A petition from captain John Briſben was read, praying for leave on account of his domeſtic affairs, to reſign his commiſſion:

Ordered, That he have leave to reſign.

A petition from Pierre Burns, William Douglaſs and others was read:

Ordered, That it be referred to the board of treaſury.

A petition from Belcher P. Smith was read, praying for an augmentation of his ſalary as clerk in the ſecretary's office:

Ordered, That it be referred to the board of treaſury.

The committe on the treaſury reported, that there ſhould be advanced to monſ. du Coudray, for himſelf and the following gentlemen, who came with him to America, monſ. du Coudray to be accountable; viz. for monſ. du Coudray 1000 dollars.

For captains Le Brun, Auguſtin Le Brun, Vareigne, Touſard, de Goy, Picard, Loyaute, and Parriſon, each 250 dollars

Monſ. Noel, ſurgeon major, 300 dollars,

Lieutenats Parriſſy, Coyeti, Matigny, Bouchard, Le Blanc, Nivan, Fonfrede, Pomereul Mattris, Begard, each 200 dollars,

Ten ſerjeants, each 50 dollars; making in the whole 5800 dollars:

Ordered, That the ſaid ſums be paid.

A motion being made for employing the gentlemen who came with monſ. du Coudray.

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That there be paid to James Milligan, or his order, 1236 dollars, in discharge of a bill drawn by Jon. Trumbull, junior, deputy paymaster general in the Northern department, 5th August last, in favour of John Carter or order for that sum, it being for so much received of him by the said deputy paymaster general for the public service of the United States, for which the said deputy paymaster general is to be accountable.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due,

To Thomas M'Intire, an ensign in captain Lennox's company of the third Pennsylvania battalion, a balance of pay and rations due to him from the 1st of September 1776 to the 7th of August 1777, when he arrived from Long-Island, 198 dollars, of which he received from James Hunter, paymaster to the 4th Pennsylvania battalion, 72 dollars; the balance is 126 dollars; and for rations due to him from the 1st of October to the 16th of November 1776, being 46 days at 8d per ration, is 8 16-90, both sums making 134 16-90 dollars:

To Allan M'Donnel, Alexander Allan junior, Renald and Archibald M'Donnels, prisoners at Reading, and their three servants, 12 weeks allowance from the 4th of June to the 27th of August at 28s. each for themselves, and 7s. 6d, for their servants, 260 dollars.

To Willing, Morris, and Co, for 10000 quills for the use of the treasury, war and secretary's office, 266 60-90 dollars:

To Robert Anderson, a private for his half pay from the 22d of May, the time he was discharged by general Maxwell's certificate, to the 22d of July, the time he inlisted in colonel Nicola's corps of invalids, 6 60-90 dollars:

Ordered, That the said accounts be paid.

Ordered, That report be made from the committee of the whole of the resolution they have come to on the report referred to them.

The resolution being read,

Ordered, That it be re-committed.

Resolved, That general Washington be empowered to dispose of colonel Richardson's battalion in such way as he shall think proper, and that he send orders to colonel Richardson accordingly.

Congress was then resolved into a committee of the whole and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the

the matters referred to them and have made some progress therein, but not having come to a conclusion desire leave to sit again.

Resolved, That to-morrow Congress be resolved into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies.

In consequence of a report from the committee of intelligence.

Ordered, That general Sullivan's letter be published.

A motion was made to apply to the supreme executive council of Pennsylvania for a quantity of copper;

Ordered to lie on the table.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *September* 3, 1777.

A letter of the 2d from G. Bryan, esquire, vice president of the supreme executive council of Pennsylvania, was read, informing that "in consequence of the recommendation of Congress and their own persuasion of the propriety and necessity of the measure, the council have taken up several persons inimically disposed towards the American states; that few of the Quakers among these are willing to make any promise of any kind; and desiring the advice of Congress, particularly whether Augusta and Winchester in Virginia would not be suitable places in which to secure these persons;" whereupon

Resolved, That Congress approve of the Quaker prisoners being sent to Virginia, and in the opinion of Congress that Stanton in the county of Augusta is the most proper place in the state of Virginia for their residence and security; and with regard to the other prisoners mentioned in their letter, Congress leave it to the supreme executive council to do with them as they in their wisdom shall think best.

The supreme executive council having sent to Congress, by one of the delegates of their state, sundry original letters and papers found in the possession of some of the Quakers taken into custody, the same were read:

Ordered, That they be referred to the committee to whom general Sullivan's letter of the 25th of August was referred.

Resolved, That it be earnestly recommended to the several states to take effectual measures for importing or otherwise procuring, during the ensuing winter, such supply of arms, tents and other military stores, blankets, cloathing, medicines and other necessary articles for their respective militia as may be wanted for the next campaign, and that they report to

Congress

Congreſs the ſpecies and quality of military ſtores manufactured in their reſpective ſtates:

That the board of war be directed forthwith to lay before Congreſs a liſt of the military ſtores now in the magazines, and an eſtimate of ſuch articles of foreign manufactures or produce as may be wanted for the next campaign.

Ordered, That the board of war take into conſideration the merits of brigadiers Stark and Harkemer, and of colonel Ganſewort and lieutenant colonel Willet, and report to Congreſs what teſtimonies of public gratitude ſhould be ſhewn to thoſe officers for their late ſignal exertions in the defence of their country.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. Harriſon reported, that the committee have conſidered farther the matters referred to them and have come to a reſolution, which he was ordered to deliver when congreſs would receive it:

Ordered, That it be now received.

The reſolution being received was read and ordered to lie for farther conſideration.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *September* 4, 1777.

A letter of the 3d from general Waſhington at Wilmington giving an account of a ſkirmiſh at Ironhill, and one of the 31ſt of Auguſt from J. Hudſon, were read:

Ordered, That the general's letter be referred to the committee of intelligence.

A memorial from captain Jacob Bower, and one from Charles Seitzan, adjutant in major Ottendorf's corps, were read, deſiring leave to reſign their commiſſions:

Ordered, That the ſaid officers apply to general Waſhington.

A memorial from E. Blaine was preſented to Congreſs:

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That the pay of Belcher P. Smith, clerk in the ſecretary's office, be augmented to fifty five dollars a month.

Ordered, That there be advanced to colonel Lewis Nicola, of the invalid regiment, 658 4-90 dollars, for the pay of that corps for two months from the 20th of June to the 19th of Auguſt, for which he is to be accountable.

Reſolved, That a committee of three be appointed to conſider

der under what regulations and reſtrictions regimental officers ſhall for the future receive their rations.

The members choſen, Mr. R. H. Lee, Mr. Gerry, and Mr. Folſom.

The board of war report, "that they have taken into conſideration the diſpute with regard to the relative rank of the colonels Cortlandt, Ganſevort, Dubois and Livingſton, commanding four of the New-York regiments, and find that a committee of the convention of that ſtate, being properly authoriſed for that purpoſe, did appoint the officers above mentioned to their reſpective regiments in the following order, viz. colonel Cortlandt ſecond, colonel Ganſevort third, colonel Dubois fourth, and colonel Livingſton fifth. As this arrangement muſt be preſumed to have been founded on principles of juſtice and public utility, the board are of opinion, that it would be highly inexpedient to make any alteration in the relative rank of theſe officers:"

Reſolved, That Congreſs agree with the board in their report.

A memorial from George Emerſon was read:

Ordered, That it be referred to the board of treaſury.

A letter from count Pulaſki was read.

Congreſs took into conſideration the report from the board of war of the 30th of Auguſt.

The queſtion put, "to appoint a commander of the horſe," paſſed in the negative.

In conſequence of an adjuſtment by the commiſſioners, the auditor general reports,

That there is due,

To Iſaac Snowden, for Alexander Brown's account of 124 meals ſupplied the militia, and for Robert Patterſon's account of boarding two ſick ſoldiers of colonel Weeden's battalion, 52 76,90 dollars:

Ordered, That the ſaid accounts be paid.

Ordered, That the board of war make ſuch diſpoſitions as they ſhall judge prudent and neceſſary for removing, at the ſhorteſt notice to a place of ſecurity, all the military ſtores belonging to the continent, in caſe the exigency of affairs ſhould render it neceſſary.

Reſolved, That it be recommended to the executive council of Pennſylvania to give orders, that all the militia of their ſtate hold themſelves in readineſs to march at a moment's warning, and that their arms be put in as good condition as poſſible: that it be farther recommended to the ſaid executive

council to call out five thouſand militia from the city and county of Philadelphia and the counties moſt adjacent:

That it be earneſtly recommended to the militia to appear with what arms they have or can procure, and otherwiſe equipped in the beſt manner they may be able, and that they rendezvous on the heights of Derby or at ſuch other place as the commander in chief ſhall direct.

Reſolved, That it be recommended to the governor of New-Jerſey forthwith to order out three thouſand of the militia of that ſtate, for the purpoſe of reinforcing the army under general Waſhington, the ſaid militia to rendezvous at Briſtol with as much diſpatch as poſſible.

On motion by the delegates of North-Carolina "that the preſident order payment of the bills drawn by the treaſurer of North-Carolina, agreeably to the reſolve of the 14th of March laſt without applying to Congreſs.

Ordered, That the ſaid bills be referred to the board of treaſury.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *September* 5, 1777.

A letter of the 4th from governor Livingſton at Haddonfield, and a letter from colonel Maſon to colonel Harriſon, were read:

Ordered, That the letter from colonel Maſon be referred to the board of war.

Ordered, That the petition and account of colonel Dugan, on which the board of treaſury reported on the 11th of February, be re-committed to the ſaid board.

The committee on foreign applications brought in a report, which was read, and after ſundry amendments made and part agreed to,

Reſolved, That it be re-committed.

A letter of this day from Thomas Wharton, preſident of Pennſylvania, was read, informing that the perſons detained in the maſon's lodge have had notice of their going to-morow to Auguſta, and deſiring an anſwer "whether the removal of thoſe perſons may not be relaxed as to ſuch as would yet ſwear or affirm allegiance to this ſtate;" alſo incloſing a remonſtrance to the council of Pennſylvania from twenty perſons in the lodge: whereupon

Reſolved, That the ſupreme executive council be informed, that Congreſs have no objection to the enlargement of ſuch perſons

ſons now confined in the lodge as will ſwear or affirm allegiance to this ſtate.

A remonſtrance from Iſrael Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fiſher, Samuel Pleaſants and Samuel R. Fiſher, was read:

Ordered to lie on the table:

The committee to whom the papers ſent to Congreſs by the ſupreme executive council of Pennſylvania were referred, brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *September 6*, 1777.

A letter of the 5th from general Waſhington at Wilmington, and one of the ſame date from Thomas Wharton junior, preſident of Pennſylvania, were read:

The committee on the treaſury brought in a report; whereupon

Ordered, That there be paid to David Neſbit or order 250 dollars, in diſcharge of a bill drawn in his favour by John Aſhe, eſq; public treaſurer of the ſtate of North-Carolina, on the continental treaſurer, expreſſed to befor the uſe of the United States: the farther ſum of 500 dollars in diſcharge of another bill drawn in his favour by the ſaid public treaſurer of North-Carolina on the continental treaſurer, both the ſaid bills bearing date the 10th of May laſt; and the further ſum of 125 dollars in diſcharge of another bill without date, drawn in favour of the ſaid David Neſbit by the ſaid public treaſurer of North-Carolina on the continental treaſurer; the two laſt bills being expreſſed to be for the uſe of the ſtate of North-Carolina; the whole of the ſaid ſums amounting to 875 dollars, for which the ſaid ſtate is to be accountable, theſe ſums being in part of the 500,000 dollars ordered to be advanced to that ſtate.

Ordered, That there be paid to James Millegan, eſq; or his order, 28 18 90 dollars, being ſo much diſburſed by him at the requeſt of the committee of Congreſs on Indian affairs towards making up a preſent for the Caghnawaga Indians and an Oneida who paid a viſit to Congreſs laſt month.

Ordered, That a warrant iſſue on the commiſſioner of the loan office in the ſtate of Pennſylvania in favour of the marine committee for 7000 dollars, in conſequence of their having drawn on the ſaid commiſſioner two warrants dated the 12th

December laſt for the ſaid ſum, one in favour of John Hancock, Samuel Adams, and Elbridge Gerry for 1000 dollars, and the other in favour of the ſaid Elbridge Gerry for 6000 dollars, which ſums were borrowed by the marine committee and delivered to captain John Brown of Maſſachuſetts-Bay for the uſe of the navy; the ſaid marine committee to be accountable.

Ordered, That there be advanced to the marine committee 4000 dollars for the uſe of that department, and for which they are to be accountable.

The committee on the treaſury farther report, that they have taken into conſideration the letter of 28th Auguſt from general Gates reſpecting cloathing for the army under his command; that it appears from the cloathier general's report, that he has ordered conſiderable ſupplies of cloathing to be forwarded to the army in the Northern department from Boſton, and that he has little doubt of being able to furniſh in the courſe of the year the ſpecific articles of cloathing directed to be given as a bounty to the troops; and as it will be equally diſadvantageous to the ſoldiers and to the ſervice ſhould they receive money inſtead of ſuch cloathing, the board diſapprove of the ſtoppages made by the deputy paymaſter general in the Northern department out of the pay of the troops in that department on account of cloathing, and direct the money to be returned, except in caſes where a regiment ſhall have been furniſhed with more cloathing than the bounty; that the greateſt care ought to be taken to do juſtice to the ſoldiers, as well as the public, in this eſſential article: it is not ſufficient, in the opinion of the board, that the cloathier general charges the regiment with the articles delivered, and takes the receipt of the colonel or commanding officer, and that the colonel or commanding officer on delivering the cloathing to the captains or commanding officers of each reſpective company, takes his receipt; every commanding officer of a company ought moreover ſtrictly to be required to keep a cloathing account with his company, diſtinguiſhing the ſeveral articles delivered to each non-commiſſioned officer and private, and taking receipts for the ſame as his vouchers; and when each non-commiſſioned officer and private reſpectively ſhall have received his bounty of cloathing, the commanding officer of the company to which he belongs ſhall

ſhall deliver the acccount and receipts to the commanding officer of the regiment, to enable him to ſettle the cloathing account with the cloathier general as well as to diſcover whether equal juſtice has been done to the company:

That ſuch troops as have not been ſupplied with cloathing ought to be furniſhed with their full bounty without delay, which the board have earneſtly recommended to the attention of the cloathier general, and he on his part has engaged to exert every means in his power to accompliſh:

That ſuch of the troops as at their own expence ſhall have provided themſelves with any of the articles of cloathing allowed as a bounty, or ſhall not draw their cloathing in the courſe of the year, ſhall he entitled to receive the full value thereof at the average price which the cloathing of the army ſhall coſt the public.

Bnd whereas when the bounty of cloathing was provided by Congreſs, it was conceived that it might be impracticable to obtain a ſufficient quantity of cloth for regimental coats for the troops, and for that reaſon two hunting ſhirts were ſubſtituted; but in the event ſo conſiderable a ſupply has been procured, that the cloathier general has been enabled to furniſh moſt of the troops with regimental coats inſtead of hunting ſhirts, and experience has ſhewn that a further alteration of the articles of cloathing allowed as a bounty may be made to the advantage of the ſoldiers and without loſs to the public, and therefore it is the opinion of the committee that it be

Reſolved, That the cloathier general be directed, as far as he ſhall have it in his power, to furniſh all the non-commiſſioned officers and privates in the ſervice of the United States, who have not yet received their bounty of cloathing; at their election, either with the ſeveral articles allowed by Congreſs, in the reſolution of 8th October, 1776, or in lieu thereof the following articles, viz.

One regimental coat at 8 60-90 dollars,
one jacket without ſleeves 2 60-90,
one pair buckſkin and two pair linen or woollen breeches 8 dollars,
one hat or leather cap 2 60-90 dollars,
two ſhirts 8 dollars,
one hunting ſhirt 4 dollars,
two pair overalls 6 dollars.

two

two pair of ſtockings 4 dollars,
two pair of ſhoes 6 dollars,
one blanket 6 dollars; making in all 56 dollars:

But as the coſt of the articles laſt ſpecified exceeds that of the cloathing allowed as a bounty to the troops by 8 dollars and 30-90 of a dollar, ſo much ſhall be ſtopped out of the pay of every non-commiſſioned officer and private, who ſhall be ſupplied in the manner laſt directed, as will make the amount of cloathing he ſhall receive equal to the value of the bounty of cloathing, which upon an average of the price of the ſeveral articles is eſtimated at 47 60 90 dollars:

The ſaid report and reſolves being read twice, on the queſtion put

Reſolved, That Congreſs agree to the ſame.

Reſolved, That there be allowed to Michael Hillegas, eſq; treaſurer of the United States, from the 6th day of Auguſt 1776, when Mr. Clymer reſigned the office of joint treaſurer, a ſalary after the rate 3000 dollars per annum, for diſcharging the duties of that office.

Congreſs took into conſideration the report of the committee to whom were referred the papers tranſmitted by the ſupreme executive council of Pennſylvania; whereupon

Ordered, That the papers as reported by the committee from no. 1 to no. 11, incluſive, be publiſhed.

Congreſs took into conſideration the remonſtrance from Iſrael Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fiſher Samuel Pleaſants, and Samuel R. Fiſher, who were taken into cuſtody upon the recommendation of Congreſs, praying to be heard; whereupon

Reſolved, That it be recommended to the ſupreme executive council of the ſtate of Pennſylvania to hear what the ſaid remonſtrants can alledge to remove the ſuſpicions of their being diſaffected or dangerous to the United States, and act therein as the ſaid council judge moſt conducive to the public ſafety.

The committee on foreign applications, to whom their report with the amendments was re-committed, brought in another report, which was read:

Ordered to lie on the table.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *September* 8, 1777.

A letter of the 7th from R. H. Harrison, secretary to general Washington, at Newport; one of the 7th from governor Livingston of New-Jersey; one of the 30th August from governor Henry of Virginia; one of the same date from Colonel Morgan at fort Pitt; one of the 1st September from governor Trumbull at Lebanon; one of the 13th August from the council of Massachusetts-Bay, with sundry papers therein referred to; one of the 7th from monsr. du Coudray; one of the 6th from the council of Pennsylvania, with a list of the persons arrested in pursuance of a resolution of Congress of the 28th August; were read.

Resolved, That general Putnam be directed to order immediately a detachment of 1500 continental troops, under the command of a brigadier, to hold themselves in readiness to cross the North river when ordered by general Washington.

Ordered, That a copy of the foregoing resolution and of governor Livingston's letter be forthwith transmitted to general Washington.

Ordered, That governor Trumbull's letter be referred to a committee of five;

The members chosen, Mr. J. Adams, Mr. R. H. Lee, Mr. Duer, Mr. Gerry and Mr. Wilson.

Ordered, That monsr. du Coudray's letter be referred to general Washington, and that he be desired to give such directions thereon as he shall think most conducive to the public good.

Ordered, That the letters from the council of Massachusetts-Bay, with the papers accompanying the same, and also the letter from colonel Morgan, be referred to the board of war.

A letter from general Mifflin was read, and referred to the board of treasury.

A letter of this day from T. Warton, president of Pennsylvania, was read:

Ordered, That it be referred to the board of war.

Congress took into consideration the report of the committee on foreign applications, wherein they set forth,

That besides a number of officers who are come from Europe and the West-Indies of their own accord to solicit for rank and employment in the American army, there are others who have proceeded upon the encouragement

of

of conventions made and ſigned at Paris by Silas Deane, eſquire, as agent for the United States of North-America; that Mr. Deane had no authority to make ſuch conventions, and that Congreſs therefore are not bound to ratify or fulfill them:

Your committee further report, that the baron de Kalb and the viſcount de Mauroy, with a number of officers who came with them from France, have offered their ſervice, provided their engagements with Mr. Deane, in reſpect to rank, are fulfilled; but that the American army having been arranged before the arrival of theſe gentlemen in America, their expectations cannot be complied with without deranging it and thereby injuring at ſo critical a juncture the American cauſe: that the zeal however of theſe gentlemen and their conſequent expences merit the attention of Congreſs; wherefore your committee report the following reſolve:

Reſolved, That the thanks of Congreſs be given to the baron de Kalb and the viſcount de Mauroy, with the officers who accompany them, for their zeal in paſſing over to America to offer their ſervice to theſe United States, and that their expences to this continent and on their return to France be paid.

Reſolved, That Congreſs agree to the ſaid report and reſolve.

Ordered, That the baron de Kalb and the viſcount de Mauroy be furniſhed with a copy of the foregoing report and reſolution, atteſted by the ſecretary; alſo that any of the officers accompanying them, who may deſire it, be furniſhed with ſuch a copy.

Whereas William Imlay, a priſoner of the United States, upon ſuſpicion of diſaffection has offered to take an oath of allegiance to the ſtate of New-York, of which he is a citizen; therefore

Reſolved, That it be recommended to the ſupreme executive council of the ſtate of Pennſylvania to diſcharge the ſaid William Imlay on his parole of honor "that he will forthwith repair to Kingſton in the ſtate of New York, and take the oath of allegiance to the ſaid ſtate."

Congreſs took into conſideration the letter of the 6th from the council of Penſylvania, wherein they inform "that at the time the reſolves of Congreſs of the 6th came to them, the council were diſpoſing of every thing for the departure of the gentlemen confined in the ma-

ſon's

ſon's lodge; that the hearing of ſome may be cenſured as a partial proceeding, and therefore they wiſh the ſame indulgence may be granted to all: That as this may be tedious, and, in the midſt of the preſent load of important buſineſs before council, of which that of embodying the militia is not the leaſt part, they have not leiſure to undertake it; that, as much injury will enſue to their commonwealth if council at preſent yield any further attention to this matter, they therefore earneſtly requeſt that Congreſs may hear and diſpoſe of the gentlemen priſoners in the maſon's lodge, and alſo of thoſe who are on promiſe or parole, in ſuch manner as to their wiſdom ſhall ſeem beſt, and that for this purpoſe a liſt of the priſoners is herewith ſent:" whereupon

Reſolved, That it would be improper for Congreſs to enter into any hearing of the remonſtrants or the other priſoners in the lodge, they being inhabitants of Pennſylvania; and therefore as the council decline giving them a hearing for the reaſons aſſigned in their letter to Congreſs, that it be recommended to the ſaid council to order the immediate departure of ſuch of the ſaid priſoners as yet refuſe to ſwear or affirm allegiance to the ſtate of Pennſylvania, to Stanton in Virginia.

An appeal from the judgment of a court of admiralty for the ſtate of Pennſylvania, on the libel "Andrew Caldwell againſt Wingate Newman," was lodged with the ſecretary and referred to the committee for hearing and determining appeals.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *September* 9, 1777.

A letter of the 26th of Auguſt from colonel G. Morgan, with two letters to him from brigadier Hand, ordering him to lay in proviſions for 2000 men for 6 months, with an eſtimate of the expence, was read:

Ordered, That the ſame be referred to the board of treaſury.

The delegate from Rhode-Iſland and Providence plantations laid before Congreſs a reſolution paſſed by the general aſſembly of that ſtate, which was read and is as follows:

"In the lower houſe, Auguſt 22, 1777. Reſolved, That the delegates appointed or who may be appointed to repreſent this ſtate in Congreſs be, and they or either of them,

are hereby impowered, to repreſent ſaid ſtate in Congreſs, until they or either of them ſhall have due notice of their re-election, or until the delegates who may be appointed in their room ſhall take their ſeats in Congreſs; the act directing the election of the ſaid delegates for one year to the contrary notwithſtanding. Voted and paſt; per order, J. Lyndon, clerk. In the upper houſe; read the ſame day and concurred. By order, R. J. Holme, deputy ſecretary."

A letter of the 7th from general Putnam and one of the 2d from Peter Colt, both directed to W. Buchanan, commiſſary general of purchaſes, were read:

Ordered, That they be referred to a committee of three; The members choſen Mr. Duane, Mr. Clark and Mr. Gerry.

Congreſs took into conſideration the reſolution reported from the committee of the whole; whereupon it was moved, that it be divided and the ſenſe of Congreſs taken on it, reduced to diſtinct propoſitions: it was then moved

That the intereſt which ſhall ariſe after the date of this reſolution on loan office certificates which ſhall be iſſued in purſuance of former reſolutions of Congreſs, be annually paid at the reſpective loan offices in bills of exchange on the commiſſioners of the United States in Paris.

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
	Mr. Folſom,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connnecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*no*	*
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Witherſpoon,	*ay*	
Pennſylvania,	Mr. Wilſon,	*ay*	*ay*
	Mr. Morris,	*ay*	
	Mr. Roberdeau,	*ay*	
	Mr. Clymer,	*ay*	

Delaware,

Delaware,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	
Virginia,	Mr. Harriſon,	*no*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Jones,	*ay*	
North-Carolina,	Mr. Harnett,	*ay*	*ay*
South-Carolina,	Mr. Middleton,	*no*	*no*
	Mr. Heyward,	*ay*	
	Mr. Laurens,	*no*	

So it was reſolved in the affirmative.

It was then moved, That ſuch intereſt be paid in bills of exchange at the rate of ſix per centum per annum: whereupon an amendment was moved, to ſtrike out "ſix" and inſert "five"—

New-Hampſhire,	Mr. Folſom,	*no*	*no*
	Mr. Froſt,	*no*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*divided.*
	Mr. Clark,	*ay*	
Pennſylvania,	Mr. Morris,	*ay*	*no*
	Mr. Clymer,	*no*	
	Mr. Roberdeau,	*no*	
	Mr. Wilſon,	*no*	
Delaware,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	
Virginia,	Mr. Harriſon,	*ay*	*ay*
	Mr. R. H. Lee,	*no*	
	Mr. Jones,	*ay*	
North-Carolina,	Mr. Harnett,	*no*	*no*
South-Carolina,	Mr. Heyward,	*no*	*no*
	Mr. Laurens,	*no*	

So it paſſed in the negative.

Congreſs being informed that colonel Forman was at the door and had a meſſage from general Waſhington.

Ordered, That he being introduced.

Colonel Forman being introduced, delivered the meſſage and withdrew.

Congreſs

Congreſs having received information from general Waſhing, that a great part of the enemy's fleet have ſailed with intention, as it is apprehended, to come round into the Delaware river; and whereas general Waſhington hath requeſted that a proper look out be kept up and intelligence ſent him with as much diſpatch as poſſible of the movements of the ſaid fleet.

Ordered, That the executive council of the ſtate of Pennſylvania be informed thereof, and that it be recommended to them to attend to this matter.

Ordered, That general Waſhington appoint a proper perſon at head-quarters to write to the preſident twice a-day, or oftener if neceſſary, and give information of the poſition and movements of the armies; and that the board of war appoint proper expreſſes for conveying the ſaid letters with the utmoſt expedition.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *September* 10, 1777.

A letter of the 8th from general Waſhington, 8 miles from Wilmington, one of the 9th from doctor Shippen, director general of the hoſpital; alſo a return of ſundaries received from Chriſtiana bridge, ſeized by colonel E. Blaine, deputy commiſſary general of purchaſes, for the uſe of the continental army; were read:

Ordered, That the letter from doctor Shippen and the return be referred to the board of treaſury.

The committee on the treaſury brought in a report, whereupon

Ordered, That there be advanced to Anthony Butler, agent to major general Mifflin, quarter maſter general, agreeable to his application by letter to Congreſs dated 6th inſtant, 150,000 dollars for the uſe of his department, and for which he is to be accountable:

That there be advanced to William Buchanan, commiſſary general of purchaſes, 100,000 dollars for the uſe of his department, and for which he is to be accountable:

To John Mackenzie, a priſoner, 20 dollars to defray his travelling expences to Fredericktown in Maryland, to which place he is ordered to repair by the board of war.

To lieutenant de la Colombe, for his pay as lieutenant from

from 1ſt December 1776. to 1ſt September 1777, 9 months 243 dollars, for which he is to be accountable:

To colonel Dugan, by the hands of his wife, 300 dollars on account of his arrears of pay, and for which he is to be accountable:

To the ſecret committee 2500 dollars, for which they are to account, and that the ſame be paid by warrant on the loan office in the ſtate of Rhode-Iſland.

Ordered, That that the quarter maſter general lay his accounts as ſoon as may be before the board of treaſury, in order for adjuſtment, and immediately lay before Congreſs a liſt of all deputies and aſſiſtants employed in the quarter maſters department, and how and where employed.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due

To doctor John Morgan, late director general of the American hoſpitals, the ballance of his account current as adjuſted by the commiſſioners of accounts at Hartford 12th July laſt, the ſum of 613 40-90 dollars, and the farther ſum of 200 dollars which he advanced to doctor Warren, ſurgeon of the general hoſpital, to defray expences, &c. which ſum was ſtolen from the ſaid Warren as per certificates taken on oath before the commiſſioners at Stamford, and which the board of treaſury agrees ſhould be allowed to doctor Morgan;

Alſo the pay of director general from 31ſt December 1776, to 12th July 1777, being 194 days at 6 dollars a day, which time he employed in taking accounts and delivering up the medicines, hoſpital ſtores and ſettling accounts with the ſurgeons, mates, &c. and attending the commiſſioners at Hartford, 1164 dollars; for 1179 rations from 31ſt December 1776 to 10th May, at 8-90 dollars, 104 72-90 dollars, and for 567 rations from 10th May to 12th July, at 10-90, is 63 dollars, making in the whole 2145 22-90 dollars:

To George Everſon, his account for removing military ſtores from different parts of New-Jerſey to Philadelphia, &c. laſt winter, alſo expences and wages as aſſiſtant commiſſary of military ſtores from the 10th July 1776 to 16th January 1777, he having been employed in that capacity by governor Livingſton and the commiſſary general of the department, 272 63-90:

To

To Adam Good, 46 meals supplied continental troops on their march to camp, 5 18-90 dollars:

Ordered, That the said accounts be paid.

A memorial from captain Joſt Drieſbach and a letter from John Smith to R. H. Lee, eſq; were laid before Congreſs.

Ordered, That they be referred to the board of treaſury.

Congreſs proceeded to the election of a paymaſter for the North-Carolina light-horſe in the ſervice of the continent, and the ballots being taken

William Hardy was choſen.

Congreſs reſumed the conſideration of the reſolution reported from the committee of the whole; whereupon

It was moved, "That the intereſt which ſhall ariſe after the date of this reſolution on certificates already iſſued, be paid in bills of exchange."

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*ay*
	Mr. Williams,	*ay*	
	Mr. Law,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Clark,	*ay*	
Pennſylvania,	Mr. Morris,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
	Mr. Wilſon,	*ay*	
Delaware,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	*
Virginia,	Mr. Harriſon,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. Jones,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*divided.*
	Mr. Laurens,	*no*	
Georgia,	Mr. Brownſon,	*no*	*no*

So it was reſolved in the affirmative.

The reſolution of the committee of the whole was read and agreed to, viz.

Reſolved,

Resolved, That the interest which shall arise after the date of this resolution on loan-office certificates already issued or which shall be issued before the first day of March next, be annually paid at the respective loan offices in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar due for interest as aforesaid, or in continental bills of credit, at the option of the respective lenders:

Ordered, That the same be published.

Ordered, That five members be added to the committee appointed to consider the letter of S. Hopkins, esquire, and the proceedings of the committees from New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut and New-York;

The members chosen, Mr. Duane, Mr. Gerry, Mr. Marchant, Mr. Morris, and Mr. Dyer.

Ordered, That the committee prepare an earnest recommendation to the several states to proceed to taxation, and that the said committee prepare an estimate of the quotas to be raised in each state by such taxation, having regard to their present circumstances, condition and abilities, but without respect to the quota hereafter to be assigned to each state for defraying the expence of the war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *September* 11, 1777.

A letter of the 10th and one of 11th from R. H. Harrison were read, the last informing that the enemy are advancing, and that their present appearance indicates a disposition to pursue the route by Chad's ford:

Ordered, That the last be referred to the committee of intelligence.

The committee to whom it was referred "to consider under what regulations and restrictions regimental officers shall for the future receive their rations," brought in a report, which was read and agreed to as follows:

Whereas by the 24th article of the regulations of the department of the commissaries it is provided, "that no provisions be issued to any persons, but by the written order of the commander in chief, the commander of any department, the quarter master general, any of his deputies or assistants,

aſſiſtants, the commanding officer of a party deſcribing the perſon in whoſe favour ſuch order ſhall be given, or upon a return ſigned by the commanding officer of a corps or detachment thereof, whether commiſſioned or non-commiſſioned officer, or by the regimental quarter-maſter :" and whereas by the laſt clauſe of the ſaid article the iſſuing commiſſaries, upon receiving ſuch returns, have conſidered themſelves authoriſed or obliged to iſſue proviſions indiſcriminately to the officers and privates therein contained, and many inconveniencies have ariſen therefrom :

Reſolved, That the officers of each regiment, corps and detachment, be impowered to divide themſelves, as often as they ſhall think proper, into meſſes, not exceeding ſix to a regiment, and to ſignify the ſame to the officer ſigning the proviſion return, who ſhall thereupon diſtinguiſh in each return the names of the officers ſo divided into meſſes ; and the iſſuing commiſſaries are reſpectively directed to deliver to the head of each meſs as aforeſad the rations due to the ſame, or ſuch part thereof as the head of the meſs ſhall require, taking receipts for the ſame on the reſpective returns and charging the whole of the rations delivered to the officers and privates contained in each return to the proper regiment, corps or detachment, as directed in the 22d article of the ſaid regulations.

A motion being made, was referred to a committee of three ;

The members choſen, Mr. J. Adams, Mr. Chaſe and Mr. Jones.

The committee on foreign applications laid before Congreſs the demands of the baron de Kalb and the viſcount de Mauroy, in behalf of themſelves and the gentlemen who accompanied them, for their expences on this continent and return to France :

Ordered, That the ſame be referred to the board of treaſury.

A memorial from David Forman, for himſelf and partners, was read, praying for a guard of one hundred men to protect a ſalt works, which, on obtaining ſuch a guard they undertake to erect.

Ordered, That it be diſmiſſed.

The committee to whom the memorial of doctor Alliſon and others was referred, report, " that they have conferred fully with the printers, &c. in this city and are of opinion,

opinion, that the proper types for printing the bible are not to be had in this country, and that the paper cannot be procured, but with ſuch difficulties and ſubject to ſuch caſualties as render any dependance on it altogether improper: that to import types for the purpoſe of ſetting up an entire edition of the bible, and to ſtrike off 30,000 copies, with paper, binding, &c. will coſt 10,272l. 10s 0d. which muſt be advanced by Congreſs to be reimburſed by the ſale of the books: that in the opinion of the committee, conſiderable difficulties will attend the procuring the types and paper; that afterwards the riſque of importing them will conſiderably enhance the coſt, and that the calculations are ſubject to ſuch uncertainty in the preſent ſtate of affairs, that Congreſs cannot much rely on them: that the uſe of the bible is ſo univerſal, and its importance ſo great, that your committee refer the above to the conſideration of Congreſs, and if Congreſs ſhall not think it expedient to order the importation of types and paper, the committee recommend that Congreſs will order the committee of commerce to import 20,000 bibles from Holland, Scotland or elſewhere into the different ports of the ſtates of the Union:"

Whereupon it was moved, That the committee of commerce be directed to import 20,000 copies of the bible—

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*no*	*
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Clark,	*ay*	
Pennſylvania,	Mr. Wilſon,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
Delaware,	Mr. Reed,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*
Virginia,	Mr. Harriſon,	*no*	*no*
	Mr. F. L. Lee,	*ay*	
	Mr. Jones,	*no*	

North-Carolina,	Mr. Harnett,	*no*	*no*
South-Carolina,	Mr. Middleton,	*no*	
	Mr. Heyward,	*no*	*no*
	Mr. Laurens,	*ay*	
Georgia,	Mr. Brownſon,	*ay*	*ay*

So it was reſolved in the affirmative.

A motion being made,

Ordered, That the conſideration thereof be poſtponed to Saturday next.

Adjourned to ſix o'clock. *P. M.* at which time met, and poſtponing the ſeveral matters to this day referred, adjourned to ten o'clock to-morrow.

FRIDAY, *September* 12, 1777.

Congreſs being called by the preſident at ſix o'clock, *A. M.*

A letter of the 11th, five o'clock, *P. M.* from R. H. Harriſon at Chad's ford, and one of the ſame date, eleven o'clock, *P M* from general Waſhington at Cheſter, were read.

Ordered, That they be publiſhed.

Adjourned to ten o'clock.

Ten o'Clock, A. M.

Ordered, That 500 dollars, be advanced to the delegates of New Hampſhire, for the uſe of their ſtate, which is to be accountable.

Reſolved, That an expreſs be immediately ſent to general Putnam, with orders to ſend forward the 1500 continental troops, lately directed to be held in readineſs, with all poſſible expedition, to reinforce the army under general Waſhington: and that general Putnam be directed for the greater expedition, to diſencumber the troops of all heavy baggage and ſuch as is not abſolutely neceſſary; the heavy baggage to be ſent after them:

That an expreſs be ſent to general Dickinſon, deſiring him to come forward with all poſſible diſpatch with the militia of New-Jerſey to reinforce the army under general Waſhington.

That expreſſes be immediately ſent to brigadier general Smallwood and colonel Giſt, directing them to come forward with all poſſible diſpatch with the continental troops and militia under their reſpective commands to reinforce general Waſhington's army, and that, for greater diſpatch they diſencumber themſelves of all heavy and unneceſſary baggage:

That

That the president and supreme executive council of Pennsylvania be requested, in the name of Congress, to call upon the militia of Philadelphia and parts adjacent to go forth immediately and reinforce general Washington's army, for the defence of this city:

That an express be sent to colonel Gibson, of the battalion of Virginia troops at Alexandria, to desire him to proceed immediately with his regiment to reinforce the army under general Washington, provided the orders received from the government of Virginia do not prevent him; and if he is restrained by any such orders, that he dispatch an express without delay to Williamsburgh and inform the governor and council, that it is the desire of Congress that the said regiment be immediately sent forward for the purpose aforesaid; and that he hold himself in readiness to execute the orders he shall receive from the governor.

The committee on the treasury brought in a report; whereupon

Ordered, That there be advanced to the state of Maryland, upon the application of the governor, 20,000 dollars, the said state to be accountable.

Ordered, That a warrant issue on the commissioner of the loan office in the state of Maryland, in favour of the governor of the said state, upon his application, for 30,000 dollars, for which the said state is to be accountable:

That there be paid to Abner Nash, esquire, 650 dollars, in discharge of two bills drawn by John Ashe, esquire, public treasurer of the state of North Carolina, on the continental treasurer, expressed to be for payment and support of the continental troops in the said state; the one dated 5th March 1777, for 500 dollars, in favor of William Dry, esquire, the other dated 10th May 1777, for 150 dollars, in favor of James Payenneville, and both transferred to the said Abner Nash, and for which the state of North-Carolina is to be accountable; the same being in part of the money appropriated by Congress for the use of that state:

That there be advanced to Messr. Rudolph and Co. 3000 dollars on account of a debt due to them from the United States, and for which they are to be accountable.

An appeal from a sentence passed in the court of admiralty for the state of South-Carolina, on the libel Edward Weyman against George Arthur, was received and referred to the committee for hearing and determining appeals,

Adjourned to five o'clock.

Five o'Clock, P. M.

Ordered, That the continental navy board without delay provide a proper boat or veſſel for the marquis de la Fayette, and one for monſ. du Coudray, to convey them and their attendants and baggage to New-Jerſey.

Reſolved, That the commiſſary general of purchaſes be directed to purchaſe on the moſt reaſonable terms he can, 30 hogſheads of rum, and that the ſame be preſented to the army and diſtributed among the ſoldiers in ſuch manner as the general ſhall direct, in compliment to the ſoldiers for their gallant behaviour in the late battle of Brandywine.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *September* 13, 1777.

A letter of this day from governor Livingſton was read, alſo a letter of the 6th from governor Johnſon of Maryland to general Waſhington.

A memorial from George Ewing, commiſſary of hides, was read, whereupon

Ordered, That 1000 dollars be advanced to G. Ewing, he to be accountable.

A letter of the 11th from J. Shallus at Lancaſter; one of the 13th from monſ. du Coudray, and one of the ſame date from the continental navy board were read.

Reſolved, That general Waſhington be directed to give the neceſſary orders for compleating the defences of Delaware river, and to employ for that purpoſe ſuch officers, engineers and troops as he ſhall think proper.

Ordered, That 50,000 dollars be advanced to the continental navy board for public ſervice, the ſaid board to be accountable.

Whereas Congreſs have received information that monſ. Lewis de Fleury, during very gallant exertions in the late battle of Brandywine, near Birmingham meeting-houſe, had his horſe ſhot under him;

Reſolved, That the quartermaſter general preſent him with a horſe, as a teſtimonial of the ſenſe Congreſs have of monſ. de Fleury's merit.

The committee on the treaſury brought in a report, whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan office in the ſtate of Pennſylvania, in favour of doctor Shippen, director general of the hoſpital, for 50,000 dollars, for the uſe of his department, he to be accountable.

That

That there be paid to Robert Patton 136 dollars, for 102 days attendance as meſſenger of Congreſs, at 1 1-3 dollar a day:

That there be advanced to monſ. Lotbinier, chaplain in the ſervice of the United States, 48 dollars on account of his pay and rations, and for which he is to be accountable.

Ordered, That the letter from monſ. du Coudray, with an account of the French officers incloſed, of whom he propoſes to form a company of volunteers to join the army, and for whom he ſolicits brevet commiſſions, be referred to the board of war.

Reſolved, That general Waſhington be directed to order a court of enquiry into the conduct of brigadier general de Borre ſince his appointment, and that in the mean while brigadier general de Borre be recalled from the army.

A letter from monſ. du Coudray was read:

Ordered to lie on the table.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SUNDAY, *September* 14, 1777.

A letter of the 13th from general Waſhington at Germantown, and two of the ſame date from general Dickinſon, were read.

The preſident informed Congreſs, that in conſequence of the reſolution paſſed yeſterday, brigadier general de Borre had waited on him and offered to reſign his commiſſion;

Reſolved, That his reſignation be accepted.

A letter of this day from Thomas Wharton junior, eſq preſident of the council of Pennſylvania, was read, requeſting an advance of 200,000 dollars for public ſervice; whereupon

Ordered, That 200,000 dollars be advanced to the ſtate of Pennſylvania for public ſervice, the ſaid ſtate to be accountable.

Reſolved, That it be recommended to the ſupreme executive council of the ſtate of Pennſylvania immediately to appoint proper and diſcreet perſons to take into poſſeſſion any linens, blankets and other woollens, ſhoes, ſpirits and other neceſſaries for the uſe of the army, which they may find in any ſtores or warehouſes in the city of Philadelphia; giving a certificate expreſſing the quantity and value, and to cauſe the goods ſo taken to be conveyed to ſome ſecure place to prevent their falling into the hands of the enemy.

A letter of the 3d and one of the 10th from general Gates, incloſing copies of ſundry letters that paſſed between him and lieutenant general Burgoyne and brigadier general Simon Frazer, were read.

Ordered,

Ordered, That the ſame be referred to the committee of intelligence.

Ordered, That the board of war direct the commiſſary general of military ſtores to apply to the ſupreme executive council of the ſtate of Pennſylvania for an order to remove all public bells in Philadelphia to a place of ſecurity upon a near approach of the enemy to the city.

Congreſs being informed that ſome of the towns in the weſtern diviſion of New-Jerſey are plentifully ſupplied with blankets, which the inhabitants can ſpare for the uſe of the army,

Reſolved, That the preſident write to the governor and council of New-Jerſy, and requeſt them to call on the inhabitants of the above mentioned places for as many blankets as can be ſpared to ſupply the ſoldiers of general Waſhington's army, many of whom have loſt their blankets in the late battle of Brandywine, and cannot be ſupplied by the ſtate of Pennſylvania; and that the coſt of the ſaid blankets be defrayed by the United States.

Ordered, That the board of war give directions and take proper meaſures to have ten pieces of braſs cannon brought as ſpeedily as poſſible from Springfield to the weſt ſide of Hudſon's river.

Reſolved, That general Sullivan be recalled from the army until the enquiry heretofore ordered into his conduct be duly made.

Reſolved, That if Congreſs ſhall be obliged to remove from Philadelphia, Lancaſter be the place where they ſhall meet.

A petition from the chevalier de Preudhomme de Borre was read, praying to have his waggon till his arrival at Charleſtown and an order to have forage for his horſes, he engaging on his arrival at Charleſtown to ſend the waggon back to the continental army:

Reſolved, That the prayer of his petition be granted.

The committee on the treaſury brought in a report; whereupon

Reſolved, That the preſident draw bills of exchange on the commiſſioners of Congreſs at Paris in favour of the ſeveral officers, and for the ſeveral ſums hereafter mentioned, the ſaid bills to be made payable at thirty days after ſight, and to expreſs value received by and chargeable to Congreſs, viz.

A ſet in favor of baron de Kalb for 6000 livres tournois,

A ſet in favor of viſcount de Mauroy for 6000 do.

A ſet in favor of monſ. de Leſer for 7613 do.

A ſet in favor of monſ. de Valfort for 7393 do.

A

A set in favor of the chevalier de Franval for 7200 do.
A set in favor of the chevalier de Fayolle for 2400 do.
A set in favor of monsr de Vrigny for 3200 do
A set in favor of the chevalier de Buysson for 4712 do.
A set in favor of monsr. du Bois Martin for 6353 do.
And a set in favor of monsr. Canden for 1800 do.

Resolved, That there be paid to the following gentlemen the several sums hereafter specified to defray, with the sums above directed to be drawn in bills of exchange on the commissioners at Paris in their favor, the expences of their coming from France and returning thither, viz.

To baron de Kalb 500 dollars.
To monsr de Leser 765 do.
To chevalier de Fayolle 300 do.
To chevalier du Buysson 200 do.
To viscount du Mauroy 500 do.
To monsr. de Valfort 812 do.
To monsr. de Vrigny 410 do.
To monsr. Canden 300 do.

Resolved, That the public papers be put under the care of Mr. Clarke, and that he be impowered, upon the Congress removing to Lancaster, to procure waggons sufficient for conveying them thither and apply to general Dickinson or any other officer commanding troops in the service of the United States, who is hereby directed to furnish a guard to conduct the said papers safely to Lancaster.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

MONDAY, *September* 15, 1777.

A letter of the 15th from Thomas Wharton junior, president of the council of Pennsylvania; one of the 8th from John Carter, one of the commissioners for auditing accounts in the Northern department, requesting, as important business requires his immediate presence at Boston, that another commissioner may be appointed in his room; also a petition from Robert White, deputy commissary general of issues, requesting, as upon trial he finds it impossible for him to do the duties of the office, that he may have leave to resign his commission; were read:

Resolved, That, for the reasons assigned, Mr. Carter and M. White have leave to resign their commissions.

A letter from monsr. du Coudray to Mr Chase was laid before Congress and read, wherein he requests, for himself and

ſundry gentlemen, who accompanied him to this country from France, to have an opportunity of fighting in the American army without running the riſque of not being ſubjects of exchange ſhould they by the fortune of war be made priſoners; informing that any rank which Congreſs may think proper to give him and them will be acceptable, aſking for himſelf only the rank of captain, for the commiſſioned officers who accompanied him, the rank of lieutenants, and for the non-commiſſioned officers the rank of enſigns: whereupon

Reſolved, That his requeſt be complied with, and that commiſſions be made out accordingly.

Ordered, That 1500 dollars be advanced to monſ. du Coudray, for himſelf and the gentlemen who accompanied him, he to be accountable;

Reſolved, That a commander of the horſe be appointed with the rank of a brigadier;

The ballots being taken, count Pulaſki was elected.

Reſolved, That Mr. Frederick de Bedaulx be appointed a captain by brevet, and receive the pay and rations annexed to that rank from the 10th May laſt.

A depoſition being laid before Congreſs, containing information of a conſpiracy being formed againſt the United States and intended to be put in execution within the ſtate of Pennſylvania, and whereas it may happen that ſome perſons may be concerned in it, who are not under the juriſdiction of that ſtate,

Reſolved, That Congreſs will co-operate with the ſaid ſtate in tracing the ſaid conſpiracy, and that it be recommended to the other ſtates, within whoſe juriſdiction any of the conſpirators may reſide, to co-operate in the ſame manner with the ſtate of Pennſylvania.

Ordered, That a warrant iſſue on the commiſſioner of the loan office of the ſtate of Pennſylvania in favor of J. Shallus, deputy commiſſary general of purchaſes, for 3200 dollars, on account of his department, for which he is to be accountable.

Ordered, That one hundred thouſand dollars be advanced to the ſtate of New-Hampſhire, and that the ſame be paid by a warrant on the commiſſioner of the loan office in the ſaid ſtate for 50,000 dollars, and by another warrant on the commiſſioner of the loan office in the ſtate of Maſſachuſetts-Bay for 50,000 dollars, the ſaid ſtate of New-Hampſhire to be accountable.

The aſſembly of Pennſylvania having made a change in the delegates of their ſtate, an extract from their minutes was read as follows: "In

"In general assembly of Pennsylvania, Sunday, September 14, 1777. Agreeable to the order of yesterday, the house resumed the consideration of the chusing new delegates to serve this state in Congress, when it was resolved that new delegates be immediately elected instead of Jonathan B. Smith, esquire, who has resigned, and of James Wilson and George Clymer, esquires, who are hereby superseded: whereupon the house proceeded to the said election by ballot, when Joseph Reed, esquire, William Clingan, esquire, and doctor Samuel Duffield, were duly elected. Extract from the minutes, J. Morris, clerk of assembly."

Resolved, That another major general be appointed in the army of the United States:

The ballots being taken, baron de Kalb was elected.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *September* 16, 1777.

A letter of the 15th from governor Livingston at Haddonfield, was read requesting a supply of ammunition; whereupon

Resolved, That the commissary general of military stores be directed to supply the state of New Jersey with the quantity of cartridges mentioned in the resolve of the assembly of that state, dated 15th of September, taking care that a sufficient quantity be reserved for the use of the army under general Washington; but if the quantity of cartridges aforesaid cannot safely be spared, that in that case he supply the quantity of powder and lead mentioned in the said resolve.

A letter of the 15th from general Dickinson at Trenton; one of the 15th from general Washington at the Buck Tavern; and another of the same day from him, dated camp between the Warren and White Horse taverns; were read.

Resolved, That the president and supreme executive council of Pennsylvania be informed of general Washington's desire, that the provisions in this city should be removed to a place of safety; reserving only what may be necessary for the use of the inhabitants and for the army under his command; and that the president and council be desired in the name of this Congress to take the most speedy and effectual measures to have the same carried into execution: also that the president and council be requested to exert the most vigorous efforts to obtain from this city as many blankets as possible and with the greatest expedition, as the general represents many of the soldiers to be without blankets, and that their health will be much exposed by remaining so.

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Connecticut for two hundred thouſand dollars, in favor of William Buchanan, eſquire, commiſſary general of purchaſes, for the uſe of the Northern department, the ſaid commiſſary general to be accountable.

That there be advanced to the ſaid W. Buchanan, eſquire, commiſſary general of purchaſes, 200,000 dollars for the uſe of his department, he to be accountable.

Sundry letters and invoices of cargoes imported in the Neptune, captain Iſaac Lee, and the Succeſs, captain Cabbot Gerriſh, from Bilboa to Boſton, were laid before Congreſs;

Ordered, That they be referred to the committee of commerce.

Reſolved, That the commiſſary general of iſſues, the quartermaſter general, the commiſſary general of military ſtores, the director general and cloathier general, be ſeverally directed to remove without delay to Bethlehem or ſome other place of ſafety the patients or ſtores belonging to their reſpective departments ordered to or depoſited in Trenton.

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Maſſachuſetts-Bay in favor of the committee of commerce for 5000 dollars, for which they are to be accountable:

That a warrant iſſue on the ſaid loan-officer for 8000 dollars, in favor of the continental navy board in Philadelphia; they to be accountable:

That there be advanced to the delegates of the ſtate of Georgia 25,000 dollars, to diſcharge a bill drawn on them by that ſtate in favor of colonel John White, and that it be conſidered as part of the ſum appropriated for the military cheſt in the ſaid ſtate, and for which the ſaid ſtate is to be accountable:

That there be advanced to the delegates for the ſtate of Georgia 3000 dollars, out of the ſum appropriated to that ſtate on account of its claim againſt the United States for expenditures for the public ſervice, for which ſum the ſaid ſtate is to be accountable.

Congreſs took into conſideration the letter of the 15th from general Waſhington, whereupon it was moved to be reſolved,

That

That the execution of the resolution of Congress for the recal of general Sullivan from the army in the present critical situation of affairs, be left to the discretion of general Washington until further orders:

To which it was moved to add,

"And that Congress submit to the discretion of general Washington, whether it would not be adviseable to place the Maryland and Delaware troops under the command of some other major general, it being at the request of the delegates of those states;" The question put on the addition—

New-Hampshire,	Mr. Folsom,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Williams,	*no*	
	Mr. Law,	*no*	
New-Jersey,	Mr. Elmer,	*no*	*no*
Pennsylvania,	Mr. Morris,	*no*	*no*
	Mr. Roberdeau,	*no*	
Delaware,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chase,	*ay*	*ay*
	Mr. Smith,	*ay*	
Virginia,	Mr. Harrison,	*no*	*no*
	Mr. Jones,	*no*	
	Mr. R. H. Lee,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*
	Mr. Penn,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Walton,	*no*	*divided.*
	Mr. Brownson,	*ay*	

So it was passed in the negative.

Question to agree to the first motion,

Resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *September* 17, 1777.

A letter of this day from governor Livingston, and one inclosed to him from general Dickinson, were read, whereupon

Reſolved, That in the preſent ſituation of affairs it be left to the diſcretion of governor Livingſton, to retain the whole of the militia of New-Jerſey for the defence of that ſtate or to ſend a part of the ſaid militia to reinforce the army under general Waſhington, as circumſtances may make it neceſſary:

That governor Livingſton be requeſted to afford every aſſiſtance in his power for the ſpeedy removal of the public ſtores from Trenton to Bethlehem or ſome other place of ſafety.

Ordered, That copies of the letters received from governor Livingſton and general Dickinſon be forwarded immediately to general Waſhington.

Whereas monſ. du Coudray, colonel brigadier in the ſervice of his Moſt Chriſtian Majeſty the king of France, and commander in chief of the artillery in the French colonies of America, gallantly offered to join the American army as a volunteer, but in his way thither was moſt unfortunately drowned in attempting to croſs the Schuylkill:

Reſolved, That the corpſe of the ſaid monſ. du Coudray be interred at the expence of the United States, and with the honors of war; and that the town major carry this order into execution.

Whereas, notwithſtanding the brave exertions of the American army, the city of Philadelphia may poſſibly, by the fortune of war, be for a time poſſeſſed by the enemy's army, which availing itſelf of the proviſions and other neceſſary ſupplies now in it, may be enabled to proſecute the war with vigour; and whereas it is abſolutely eſſential to the liberties of the United States, that the moſt effectual and ſpeedy means ſhould be adopted for ſecuring for the uſe of the American army every article which may be neceſſary for their equipment and ſubſiſtence; and whereas from the near approach of the enemy's army and by the wicked arts of extortioners, engroſſers and others, enemies to the liberties of America, it may be impracticable to collect in time and by way of regular purchaſe a competent ſupply; and whereas it may be eſſential to the public welfare, that Congreſs ſhould adjourn to ſome place more remote than this city from the ſcene of action, in order that its deliberations may be conducted without interruption; therefore

Reſolved,

Resolved, That general Washington be authorised and directed to suspend all officers who shall misbehave, and to fill up all vacancies in the American army under the rank of brigadiers, until the pleasure of Congress shall be communicated; to take wherever he may be all such provisions and other articles as may be necessary for the comfortable subsistance of the army under his command, paying or giving certificates for the same: to remove and secure, for the benefit of the owners, all goods and effects which may be serviceable to the enemy: provided that the powers hereby vested shall be exercised only in such parts of these states as may be within the circumference of seventy miles of the headquarters of the American army, and shall continue in force for the space of sixty days, unless sooner revoked by Congress.

Resolved, That the public faith be pledged for the payment of the provisions or other articles to be taken, and for which certificates shall have been given, at such prices as are expressed in the certificates; or if the prices are not expressed, to be paid for as the same shall be valued by commissioners for that purpose to be hereafter appointed by Congress.

Ordered, That Mr Frost have leave of absence for recovery of his health.

A letter of this day from the executive council of Pennsylvania, in answer to the resolves of yesterday was read:

Ordered, That a copy thereof be sent to general Washington.

Adjourned to six o'clock.

Six o'clock, P. M.

Congress met and postponing the several matters to this day referred, adjourned to ten o'clock to-morrow.

THURSDAY, *September* 18, 1777.

A letter of the 17th from general Washington at the Yellow Springs, was read.

Resolved, That the order for removing the sick and wounded and hospital stores from Trenton be suspended.

A letter of the 14th from colonel Joseph Wood was read:

Ordered, That it be transmitted to general Washington.

A

A memorial from colonel Flower was read, together with a liſt of the corps of the artillery, artificers and other officers under the command and in the department of the commiſſary general of military ſtores; whereupon

Reſolved, That commiſſions be granted to the ſaid officers agreeable to their reſpective ranks.

Reſolved, That chaplains be appointed to the hoſpitals in the ſeveral departments, and that their pay be each 60 dollars a month and three rations a day and forage for one horſe:

The reverend Mr. Noah Cook was elected chaplain of the hoſpitals in the eaſtern department.

Reſolved, That major general Armſtrong be directed forthwith to cauſe all the printing preſſes and types in this city and Germantown to be removed to ſecure places in the country, excepting Mr. Bradford's preſs in this city with Engliſh types.

Reſolved, That there be paid to Robert Towers, acting as commiſſary of military ſtores and continental armourer from 19th November 1775, to 19th May 1777, two dollars a day, including the keeping of a horſe.

A letter of the 16th from general Putnam at Peek's-kill was read.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

During the adjournment the preſident received a letter from colonel Hamilton, one of general Waſhington's aids, which intimated the neceſſity of removing the Congreſs immediately from Philadelphia; whereupon the members left the city, and, agreeably to the reſolve of the 14th repaired to Lancaſter.

LANCASTER, SATURDAY, *September* 27, 1777.

A letter of the 15th from general Gates at the heights above Behman's; one of the 16th from colonel Giſt at Chriſtiana bridge; one of the 16th from colonel Gibſon at Alexandria; and one of the 23d from general Waſhington at Pottſgrove, were read.

A letter from brigadier general Conway, one from colonel G. Morgan at fort Pitt, with ſeveral papers incloſed, and a letter from the baron de Kalb to colonel R. H. Lee, were read.

Ordered,

Ordered, That they be referred to the board of war.

A letter of the 16th from Joſeph Trumbull was read.

Ordered, That it be referred to the board of Treaſury.

Reſolved, That the board of war be directed to co-operate with general Waſhington in deviſing and carrying into execution effectual meaſures for ſupplying the army with fire-arms, ſhoes, blankets, ſtockings, proviſions and other neceſſaries; and that in executing this buſineſs theſe collections be confined, as much as circumſtances will admit, to perſons of diſaffected and equivocal characters.

Reſolved, That the treaſury board direct the treaſurer, with all his papers, forms, &c. to repair to the town of York in Pennſylvania.

Adjourned to Yorktown, there to meet on Tueſday next at 10 o'clock.

YORKTOWN, TUESDAY, *September* 30, 1777.

Met and adjourned to 10 o'clock to morrow.

WEDNESDAY, *October* 1, 1777.

Congreſs having appointed the reverend Mr White and the reverend Mr. P. Alliſon their chaplains, and the latter having declined,

Reſolved, That the reverend Mr. George Duffield be appointed in his room.

Reſolved, That the appointments of the chaplains to Congreſs be the ſame as to chaplains of the hoſpitals in the ſeveral departments.

Reſolved, That till further orders Congreſs ſhall meet at 10 o'clock, A. M. ſit till one, then adjourn to four.

A memorial from Daniel and Samuel Hughes, and a letter from the baron de Kalb, were read:

Ordered, That they be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in Connecticut, and another on the commiſſioner of the continental loan-office in the ſtate of Rhode-Iſland, each for 50,000 dollars, in favor of Joſeph Trumbull, eſq; late commiſſary general, on his application by letter dated Hartford September 16th 1777, to diſcharge his engagements in that department, and for which he is to be accountable.

A

A letter of the 18th, one of the 19th, and one of the 29th of September from general Washington; two of the 22d of September from general Gates, with sundry papers inclosed; five from brigadier general R. How, at Charleston, viz. one of 25th August, two of the 28th, one of the 29th August and one of the 12th of September; a letter and memorial from A. Gwinnet of Georgia; a letter from John Adam Treutlan, governor of Georgia; with sundry papers inclosed; one from lieutenant colonel Hale; one from colonel Lewis Nicola; and one from Barnabas Deane; were read,

A memorial from monsr. de Borre was read:

Ordered, That it be dismissed

A petition from Abraham Nimham and one from James Hallet were read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *October* 2, 1777.

Ordered, That the letter from general Gates be referred to the board of war.

That the letter of 25th August from brigadier general Howe be referred to the medical committee.

Resolved, That the resignation of brigadier general Gadsden be accepted.

Ordered, That the letters of 28th and 29th August and 12th September, from brigadier general Howe be referred to the board of war.

That the letters from Mrs. Gwinnet and the governor of Georgia be referred to a committee of three;

The members chosen, Mr. Laurens, Mr. Brownson and Mr. Harnet.

Ordered, That the letter from lieutenant colonel Hale be referred to the committee for conducting the enquiry into the causes of the loss Ticonderoga and the conduct of the general officers in that department

Ordered, That a warrant issue on Mr. Lawrence, commissioner of the loan-office in Connecticut, for 20,000 dollars, in favor of Barnabas Deane, the same being in lieu of a like order in his favor dated 6th May last, which was presented for payment 18th August, but has not been paid, the order being lost.

A letter of 17th September from Jeremiah Powell, president of the council of Massachusetts-Bay, inclosing a copy of a letter from Joshua Loring, British commissary of

of prisoners, to doctor Benjamin Church, proposing an exchange of doctor M'Henry of Philadelphia for him, was read; whereupon

It was moved to comply with the proposal;

Question put, passed in the negative

A letter of the 20th September from Jonathan Trumbull, junior, was read:

Ordered, That it be referred to the board of treasury.

A letter of the th August and two of the 11th September from J Rutledge, president of South-Carolina, were read

Ordered, That the letter of the 11th respecting prisoners, be referred to the marine committee, and the other two to the board of war.

A letter of 30th September from Isaac Melchior was read:

Ordered, That it be referred to the board of war.

A memorial from Daniel Batwel was read.

Ordered That a warrant issue on the treasurer or auditor general of the United States, or on either of them, to pay to Josias Clapham, esquire, colonel of a regiment of militia from the State of Virginia, two thousand dollars for the use of the said regiment, he to be accountable.

Four o'Clock, P M.

A memorial from mons. le Brun, and a letter from John Dorsius and one from brigadier general Howe, relative to eight French officers, were read

Congress took into consideration the memorial from the reverend Mr. Daniel Batwel, setting forth "that on a charge of being concerned in a conspiracy to destroy the continental magazines in this state, he was in custody of the keeper of the jail of York county, by virtue of a commitment, until Congress or the supreme executive council of this state should take further order touching him, or until he should be otherwise discharged according to law" and it appearing to Congress, by the certificate of doctor Jameson, that the memorialist is so much emaciated by a complication of disorders that his life will be endangered, unless he be removed from the said jail,

Resolved, That the memorial be referred to the president and supreme executive council of this State, to take such order relative to the memorialist as they shall think proper; and that in the mean time the keeper of the jail

be directed to remove the petitioner from the ſaid jail to ſome other ſafe and proper place, and there grant him every indulgence neceſſary for the preſervation of his health, conſiſtent with the ſafe keeping of his perſon: and that the commanding officer in this place afford the neceſſary aſſiſtance of guards for that purpoſe

Reſolved, That the articles of confederation be taken into conſideration to-morrow morning at 11 o'clock.

Reſolved, That the commiſſary general of proviſions, the quarter maſter general and their deputies, reſpectively, be directed to provide and ſupply, in the places where Congreſs may meet, ſuch articles of their reſpective departments as may be required by the ſeveral members thereof for the uſe of themſelves, their ſervants and horſes, the ſaid members paying the coſt of the ſaid articles; and that this reſolution extend to the ſecretaries, treaſurer and the officers of the ſeveral boards and committees of Congreſs.

Reſolved, That the treaty made by Benjamin Franklin and Silas Deane, at Paris the 17th February 1777, with the chevalier du Portail and others, be confirmed and ratified as far as it relates to monſ. de Laumoy.

A letter from W. Buchanan, commiſſary general of purchaſes, was read:

Ordered, That it be referred to the board of war.

A letter of the 1ſt from the chevalier de Preudhomme, de Borre, was read.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *October* 3, 1777.

A letter of the 1ſt and one of the 12th September from captain N. Biddle, of the Randolph frigate, the firſt containing charges againſt lieutenant Panatier de la Folconer; one of the 26th Auguſt and one of the 12th September from John Doriſus; alſo two letters of intelligence reſpecting ſtores and cloathing; were read:

Ordered, That the intelligence reſpecting ſtores and cloathing be kept ſecret, and that the committee of commerce purſue ſuch meaſures as they judge proper in conſequence thereof.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That there be paid to James Hays, in diſcharge of a bill of exchange aſſigned to him by John Aſhe, eſquire, public treaſurer of the ſtate of North-Carolina, on the continental treaſurer, 250 dollars, being for pay and ſubſiſtance of the continental troops raiſed in that ſtate; the ſaid ſum to be charged to the ſtate of North-Carolina, in part of the money heretofore appropriated for the uſe of that ſtate.

Four o'clock, P. M.

Reſolved, That Monday next be aſſigned for appointing commiſſioners to audit and ſettle the accounts of Georgia againſt the United States.

The board of war brought in a report, which was taken into conſideration; whereupon it was moved,

"That the conſideration of the report from the board of war, reſpecting the baron de Kalb, be poſtponed; that a copy of the baron's letter to R. H. Lee, eſquire, of the 28th September, and of brigadier general Conway's letter to Congreſs of the 25th September, be tranſmitted to general Waſhington, and that he direct an enquiry to be made into the priority of rank between the baron de Kalb and general Conway in France, and report the ſame to Congreſs:"

Queſtion put,

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*ay*	
	Mr. Williams,	*no*	
New-York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*divided.*
	Mr. Carrol,	*ay*	
Virginia,	Mr. Harriſon,	*ay*	*divided.*
	Mr. Jones,	*ay*	
	Mr. F L. Lee,	*no*	
	Mr. R. H. Lee,	*no*	

North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Middleton,	*ay*	*no*
	Mr. Heyward,	*no*	
	Mr. Laurens,	*no*	
Georgia,	Mr. Brownſon,	*no*	*no*

So it paſſed in the negative.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *October* 4, 1777.

A letter of the 30th September from Charles Stewart, commiſſary general of iſſues, and one of this day from the chevalier de Borre, were read:

Ordered, That ſuch part of Mr. Stewart's letter as relates to money be referred to the board of treaſury, and the remainder to the board of war.

Congreſs took into conſideration the letter of the 1ſt, from Monſ. Preudhomme de Borre, wherein he aſks to be made a major general, and complains of being condemned before he was heard; and conſidering that Congreſs had ordered an enquiry into the conduct of Mr. de Borre, and that he being notified thereof, did on the 14th of September, wait on the preſident with an offer to reſign his commiſſion of brigadier general, and his reſignation being accepted,

Reſolved, That Congreſs do not conſider him as an officer in the ſervice of the United States he having reſigned his commiſſion; and that his requeſt to be made a major general, or to be further employed in the ſervice of the United States, cannot be complied with.

A motion was made, "That general Waſhington be directed to order 2000 ſtands of the arms expected from Springfield to the ſtate of Maryland, to be delivered to the governor and council of that ſtate, the arms ſo delivered to be charged to that ſtate: on motion made and queſtion put,

Reſolved, That the conſideration thereof be poſtponed.

Congreſs was moved to paſs the following reſolution:

"Whereas it appears by letters to Congreſs from John Adam Treutlan eſquire, governor of Georgia, and particularly by one dated 19th June laſt, that it is the deſire of the executive powers of government in the ſtate of Georgia, that Congreſs ſhould take under their conſider-

ration the ſeveral accuſations againſt George M'Intoſh, and determine on the caſe, and for that purpoſe have tranſmitted to Congreſs divers minutes of council and aſſembly, together with certified copies of depoſitions relative to the ſaid caſe, and had for that purpoſe ordered that the ſaid M'Intoſh ſhould be conducted under guard to Philadelphia; and whereas the ſaid George M'Intoſh has ſignified his conſent to ſubmit to an enquiry by a committee of Congreſs into the cauſes of his commitment:— Reſolved, That the committee appointed to conſider and report upon the letters, depoſitions, and other papers which have been received from governor Treutlan, be authoriſed to inform the ſaid G. M'Intoſh, now attending the orders of Congreſs, of the accuſations alledged againſt him, and to furniſh him, if he ſhall require it, with copies of the depoſitions and other evidence in ſupport of the charge, to hear and receive ſuch anſwers as he may offer in his defence, and report the whole to Congreſs."

The queſtion put, paſſed in the negative.

A motion was then made that it be

Reſolved, That the committee to whom the letter from governor Treutlan, with the papers accompanying them, were referred, be diſcharged from conſidering them—

New-Hampſhire,	Mr Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connnecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*no*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*no*	*no*
	Mr. Duer,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carrol,	*ay*	
	Mr. Smith,	*ay*	
Virginia,	Mr. Harriſon,	*no*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. Jones,	*ay*	
	Mr. R. H. Lee,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	

South-

South Carolina.	Mr. Middleton,	*ay*
	Mr. Heyward,	*ay* } *ay*
	Mr. Laurens,	*no*
Georgia,	Mr Brownfon,	*ay*
	Mr. Walton,	*no* } *divided.*

So it was resolved in the affirmative.

A motion was made respecting George M'Intosh, and on motion

Resolved, That the consideration thereof be postponed till Monday next.

The committee on the treasury brought in a report; whereupon

Ordered, That there be paid to monsr. de Romanet, monsr. du Ballet, monsr. Villefranche, monsr. l'Enfant, monsr. Niverd, monsr. Fouquet and monsr. Fouquet, junior, lately arrived from France to tender their services to the United States, each 100 dollars, for which they shall be respectively accountable.

Resolved, That the commissary general of issues be supplied from time to time with money for the payment of the several officers and other expences of his department out of the continental treasury, for which purpose he is to apply to Congress and to be accountable for the expenditure; and that 10,000 dollars be advanced to him or his agent on account of the said department, for which he is to be accountable.

Four o'Clock, P. M.

The committee to whom were referred the two letters to William Buchanan, esquire, commissary general of purchases, one from Peter Colt, esquire, and the other from general Putnam, on the subject of the commissary's department, brought in a report, which was taken into consideration; whereupon

Resolved, That if the deputy commissary general of purchases or of issues appointed for the Eastern district shall decline to accept of or officiate in their respective offices, major-general Putnam the commanding officer at Peck's kill, or the commanding officer there for the time being, be authorised and directed to appoint suitable persons to those respective offices or either of them; and that major general Gates, or the commanding officer for the time being of the Northern department, have similar power with respect to the deputy commissary general of purcha-

ses

ſes and of iſſues for the Northern department, and that they reſpectively certify the names of the commiſſaries which they may appoint, to Congreſs for approbation.

Reſolved, That every aſſiſtant appointed or that hereafter may be appointed by the reſpective deputy commiſſaries general of purchaſes and of iſſues, ſhall enter into bond to the preſident of Congreſs in the penalty of 5000 dollars for the faithful performance of his duty; and ſuch bond being taken by the deputy commiſſary general and lodged with the pay maſter general or deputy pay maſter general of the diſtrict, to be by him tranſmitted to the treaſury board, the deputy commiſſary general ſhall no longer be chargeable or accountable for the good behaviour of ſuch aſſiſtants.

That every deputy commiſſary general ſhall be authoriſed to appoint as many clerks, not exceeding the number of three, as the reſpective commiſſaries general ſhall judge neceſſary, who are directed to report the ſame to Congreſs.

And whereas it is repreſented that it will be exceedingly difficult to comply with the regulations of Congreſs for branding and numbering cattle on the horns:

Reſolved, That the purchaſers of live ſtock be reſpectively directed to adopt ſuch other mode for marking the ſame as they ſhall judge expedient, and to tranſmit to Congreſs by the ealieſt opportunity the regulations for that purpoſe by them adopted.

That each of the deputy commiſſaries general of purchaſes be authoriſed to allow to the purchaſers of live ſtock in his reſpective diſtrict, a longer time for making the returns required by the 10th article of the regulations of the department of the commiſſaries than is therein ſpecified; provided ſuch deputy commiſſary general ſhall judge it neceſſary, and the time further allowed does not exceed one month. And if in the hurry of a march or engagement or at any other time, any deputy appointed to receive, kill and deliver live ſtock, ſhall be unable to weigh the meat, hides and tallow thereof, he ſhall be indemnified from any charge of neglect upon producing to the reſpective purchaſer of cattle a certificate from the commanding officer of the army, poſt or detachment, of the fact aforeſaid; and ſuch certificate ſhall alſo excuſe the purchaſer of live ſtock from producing the receipt of the iſſuing commiſſary required by the 14th article of the ſaid regulations: That

That it never was the intention of Congreſs to make any purchaſer of live ſtock or officer of the department liable for unavoidable loſs of all or any part of ſuch live ſtock, when ſuch purchaſer or officer ſhall make appear that proper care hath been taken to prevent ſuch loſs.

Ordered, That there be advanced to Marquiſs Calmes, commander of the diviſion of Virginia militia from Frederick county, 1000 dollars, for the uſe of the ſaid diviſion, the ſaid M. Calmes to be accountable.

The committee on the treaſury brought in a report; whereupon.

Ordered, That there be advanced to captain Weaver, appointed to conduct the priſoners of war to Virginia, 2000 dollars for the uſe of the department under his command, and the ſupport of the priſoners in the march; and for which he ſhall be accountable.

Congreſs reſumed the conſideration of the report from the board of war; whereupon

Reſolved, That the baron de Kalb be at liberty to give up his commiſſion of major general, if the contingency mentioned in his letter of the 28th of laſt month ſhould happen.

That the baron de Kalb's commiſſion be dated the ſame day with that of the marquis de la Fayette, agreeable to the baron's requeſt.

That a compliance with the 4th and 5th articles of baron de Kalb's letter would be improper at this time, as Congreſs have not made any proviſion for their own officers, with whom foreign officers of equal merit and ſervice will always be conſidered on a footing.

Reſolved, That the commiſſary general of purchaſes employ a proper perſon to receive all the wheat belonging to the United States in the ſeveral mills and ſtore houſes in the neighbourhood of York town, and have ſuch parts as are good, manufactured into flour, and delivered to the commiſſary general of iſſues; the bran and damaged wheat to be delivered to the commiſſary of forage.

Reſolved, That major Henry Brockholſt Livingſton, aid de camp to major general Schuyler, be promoted to the rank of a lieutenant colonel, as a reward for his merit and ſervices, in the American army.

Reſolved, That major Troup, aid de camp to major general Gates, be preſented with a commiſſion of lieutenant colonel

colonel, as a reward of his merit and ſervices in the American army.

Reſolved, That the chevalier de Buiſſon ſhall have a commiſſion as a major, and whenever he ſhall think proper to return to France, he ſhall, if not promoted before that time to a higher rank, receive a commiſſion of a lieutenant colonel.

Reſolved, That it be referred to general Waſhington to make ſuch proviſion for quartering the troops in the winter ſeaſon, as he ſhall think proper.

Reſolved, That a ſtanding committee for Indian affairs be appointed, and that the petition of Abraham Nimham be referred to them:

That Monday next be aſſigned for appointing the ſaid committee.

Reſolved, That the governor and council of New-York be deſired to erect a monument, at continental expence, of the value of five hundred dollars, to the memory of the late brigadier Harkemer, who commanded the militia of Tryon county in the ſtate of New-York, and was killed fighting gallantly in defence of the liberty of theſe ſtates.

Reſolved, That a letter be written to general Gates, informing him that Congreſs highly approve of the proweſs and behaviour of the troops under his command, in their late gallant repulſe of the enemy under general Burgoyne.

Reſolved, That the thanks of Congreſs be preſented to general Stark of the New-Hampſhire militia, and the officers and troops under his command, for their brave and ſucceſsful attack upon, and ſignal victory over, the enemy in their lines at Benington; and that brigadier Stark be appointed a brigadier general in the army of the United States.

In paſſing the laſt clauſe, the yeas and nays were required and taken.

New Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Lovell,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Maryland,	Mr. Carrol,	*ay*	*divided.*
	Mr. Chaſe,	*no*	

Virginia,	Mr. Jones,	*ay*	*
	Mr. R. H. Lee,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
North-Carolina,	Mr. Heyward,	*ay*	*ay*
	Mr. Laurens,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*

Resolved, That the thanks of Congress be given to colonel Ganfevoort and to the officers and troops under his command, for the bravery and perfeverance which they have fo conſpicuouſly manifeſted in the defence of fort Schuyler :

That colonel Ganſeroort be appointed colonel commandant of the fort he has ſo gallantly defended.

Reſolved, That Congreſs have a juſt ſenſe of the diſtinguiſhed merit of lieutenant colonel Willet, for a repeated inſtance of his bravery and conduct in his late ſucceſsful ſally on the enemy inveſting fort Schuyler ; and that the commiſſary general of military ſtores be directed to procure an elegant ſword, and preſent the ſame to lieutenant colonel Willet in the name of theſe United States.

Reſolved, That the commiſſary of priſoners provide, under the direction of the board of war, log barracks for continental priſoners of war, that already are, or hereafter may be ſent to the commonwealth of Virginia, at ſuch place or places as the governor and council of that ſtate ſhall approve : that in the conſtruction thereof regard be had to the health and ſafe keeping of the priſoners, and that a convenient ſpace of ground ſurrounding or adjoining thereto be ſet apart for benefit of air, and ſo encloſed as to prevent all intercourſe with the inhabitants ; that until ſuch barracks be provided, the priſoners be ſent to the county lieutenants of Frederick and Auguſta counties in Virginia, to be by them ſecured, at the continental expence in ſuch manner as ſhall be ſuitable for priſoners of war, and until the governor and council of Virginia ſhall take further order therein.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY, *October* 6, 1777.

A letter of the 3d from general Waſhington, 20 miles from Philadelphia, incloſing a copy of a proclamation by Sir William Howe, dated 28th September ; a letter of 29th September from general Putnam at Peek's-kill, and one of the 5th inſtant from chevalier de Prendhomme de Borre ; were read.

Ordered,

Ordered, That the copy of the proclamation be referred to the committee of intelligence; and that they be directed to prepare an addreſs to the inhabitants of Pennſylvania and report the ſame to Congreſs.

Ordered, That a copy of the letter from general Putnam be immediately tranſmitted to general Waſhington; and that he purſue ſuch meaſures in conſequence thereof as he judges moſt conducive to the public ſafety, and that he inform general Gates of the ſteps he may think proper to be taken.

Ordered, That a copy of the ſaid letter be ſent to general Gates, and that he be directed to give ſuch aſſiſtance for ſtrengthening the defences of Hudſon's river as the circumſtances of his own department may admit, of which he is to judge.

Reſolved, That general Waſhington be directed, if the ſituation of his army will admit, to ſend one of the four engineers to do duty at fort Montgomery and the defences on Hudſon's river.

Ordered, That the letter from the chevalier de Preudhomme de Borre be referred to the board of war, and that they be directed to report thereon as ſoon as poſſible.

The board of war brought in a report; whereupon

Reſolved, That two companies be raiſed on continental eſtabliſhment for the purpoſe of guarding the ſtores at Carliſle; theſe companies to have no bounty, and to be inliſted for one year, unleſs ſooner diſcharged by Congreſs, under an engagement from Congreſs that they ſhall not be removed from Carliſle, nor be ordered on any other ſervice. That James Armſtrong Wilſon be appointed to one of the ſaid companies, with the rank and pay of a major; and that Samuel Poſtlethwaite be appointed captain of the other company.

Reſolved, That the commiſſaries general of purchaſes and iſſues and their deputies and aſſiſtants have power and authority to impreſs and ſeize waggons, ſhallops and proper ſtorehouſes on extraordinary occaſions, for the uſe of their departments: this authority to extend to the diſtance of ſeventy miles from head quarters, and to be in force to the 1ſt January next and no longer; and that they reſpectively be directed not to contravene a former reſolution of Congreſs relative to waggons going with neceſſaries to the army; and as far as circumſtances will admit, that they exerciſe this authority on perſons who have not taken the oath or affirmation of allegiance to the reſpective ſtates in compliance with the laws of ſuch ſtates.

The committee on the treaſury brought in a report, whereupon

Ordered, That there be advanced to George Eichelberger, eſquire, deputy quarter maſter general at Yorktown, 2,,00 dollars on his application in behalf of the qarter-maſter general for the uſe of that department, and for which the quarter-maſter general is to be accountable; and that a copy of this order be ſent to general Mifflin, quarter maſter general.

Ordered, That there be paid to William C Houſton or his order, 333 1-3 dollars, for his ſalary as deputy ſecretary of Congreſs from the 1ſt April to 1ſt September laſt, beingfive months at the rate of 800 dollars per annum.

Reſolved, That the drawing of the United States lottery be deferred to the 6th January next, on account of the unſettled ſtate of the commonwealth of Pennſylvania, occaſioned by the invaſion of the enemy: and that the managers of the ſaid lottery give notice thereof by advertiſement in the news-papers of the ſeveral ſtates.

Four o'Clock, P. M.

A letter of the 5th from general Mifflin, incloſing one of the 4th from colonel Lutterloe, was read.

Congreſs proceeded to the election of a committee for Indian affairs, and the ballots being taken, Mr. Duane, Mr. Walton, Mr. Burke, Mr Jones and Mr. Law were elected.

A petition from Charles M'Davitt, Patrick Smyth, and others was read:

Ordered, That it be referred to the commiſſioners of accounts for the Northern department. and that they or any two of them inquire into the facts ſuggeſted by the petitioners, and alſo into the objections made by general gates againſt allowing the claims of the petitioners, and make report thereof to Congreſs, delivering a copy of their report to general Gates.

Ordered, That the letter of the 19th June, and that of the 14th Auguſt from governor Treutlan, be refered to the board of treaſury.

Ordered, That to-morrow morning at 11 o'clock Congreſs take into conſideration that part of the article of confederation which relates to the mode of voting in Congreſs.

Reſolved, That ſo much of the reſolution of the 23d March 1776, as directs that the wages of ſeamen and mariners taken on board Britiſh merchant veſſels, be paid and deducted out of the prize money, be repealed and made null and void.

Reſolved, That all maſters, officers and mariners, and all ſubjects of the king of Great Britain, taken on board any prize made by any continental veſſel of war, be hereafter conſidered

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as prisoners of war and treated as such, and that the seamen and mariners of such prize be confined in the gaols or some other secure place in the state to which the prize shall be carried; and it is recommended to the several states to consider and treat all captains, officers and mariners and all subjects of the king of Great-Britain taken on board any prize made by any vessel fitted out by, or carried into any state by any privateer or letter of marque, as prisoners of war.

Ordered, That the commissary general of prisoners be informed of this resolve; and that he be directed to appoint a deputy in each state.

Resolved, That it be recommended to the legislatures of the several states to pass laws, declaring that any person, his aider or abettor, who shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any magazine of provisions, or of military or naval stores, belonging to the United States; or if any master, officer, seaman, mariner or other person, intrusted with the navigation or care of any continental vessel, shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any such vessel, or shall wilfully betray or voluntarily yield or deliver, or attempt or conspire to betray, yield or deliver, any such vessel to the enemies of the United States, such person, his aider or abettor, on legal conviction thereof shall suffer death without benefit of clergy

A letter of the 25th September from brigadier general Parsons was read, recommending the reverend Mr. Dwight to be appointed chaplain to his brigade; whereupon

Resolved, That the reverend Mr. Dwight be appointed chaplain to brigadier general Parsons brigade.

Ordered, That the resolution of the 10th September for paying the interest of money lent to the continent by bills of exchange on the commissioners at Paris, be without delay transmitted to the executive powers of the several states, with a request that they will order the same to be published in their respective gazettes for six months successively.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *October* 7, 1777.

A letter of this day from Peter Tarlan, deputy qarter-master general for Georgia, was read:

Ordered, That it be referred to the board of treasury.

Ordered,

Ordered, That 390 dollars be advanced to R. Peters, esquire, secretary of the board of war, for contingent expences and for which he is to be accountable.

A memorial from monsr. le Brun was read:

Ordered, That it be referred to the board of war.

According to the order of the day Congress took into consideration that part of the articles of confederation relative to the mode of voting in Congress, and after debate the farthe consideration thereof was postponed to the afternoon.

Ordered, That 20000 dollars be advanced and charged to the committee of commerce, by a draught on the commissioner of the loan office in the state of Massachusetts Bay, to be paid to Mr. John Bradford, agent for the committee, he to be accountable to the committee.

Four o'Clock, P. M.

Congress resumed the consideration of the articles of confederation relative to the mode of voting in Congress, whereupon it was moved,

"That in determining questions Rhode-Island, Delaware and Georgia shall have one vote, and every other state shall have one vote for every 50000 white inhabitants therein, taken and transmitted according to the directions of the 9th article; and when the white inhabitants of Rhode Island, Delaware and Georgia shall exceed 50000, the number of votes to be given by such state shall be encreased in the proportion of one vote for every 50000 such inhabitants, that an equality in this national assembly may be preserved as nearly as possible, and that those who are bound by measures and are to pay taxes demanded by an assembly, the members of which are elected not by all the people, but by those of a particular district, may have the same proportionable number of votes as they would have if they were personally present. If in process of time the people shall so multiply as that the Congress, consisting of one delegate for every 50000 white inhabitants, would be too numerous, the proportions shall be again adjusted, wherein the same rule of equality in the representation shall be observed."

New Hampshire,	Mr. Folsom,	*no*	*nc*
Massachusetts Bay,	Mr. S. Adams,	*no*	
	Mr. J. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
Rhode Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	
	Mr. Law,	*no*	*no*
	Mr. Williams,	*no*	New

New York,	Mr. Duane,	*no*	*no*
	Mr. Duer,	*no*	
New-Jerſey,	Mr. Witherſpoon	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Carrol,	*no*	
	Mr. Smith	*no*	
Virginia,	Mr. Harriſon,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. Jones,	*ay*	
	Mr. R. H. Lee,	*ay*	
North Carolina,	Mr. Penn,	*ay*	*divided.*
	Mr. Harnett,	*no*	
South-Carolina	Mr. Middleton,	*no*	*no*
	Mr. Heyward,	*no*	
	Mr. Laurens,	*no*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Brownſon,	*no*	

So it paſſed in the negative.

It was then moved, "That each ſtate ſhall have a right to ſend one delegate to Congreſs for every 30000 of its inhabitants, and in determining queſtions in Congreſs each delegate ſhall have one vote ;"—

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New York,	Mr. Duane,	*no*	*no*
	Mr. Duer.	*no*	
New-Jerſey,	Mr. Witherſpoon	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Carrol,	*no*	
	Mr. Smith,	*no*	
Virginia,	Mr. Harriſon,	*ay*	*ay*
	Mr. Jones,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. R. H. Lee,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*divided.*
	Mr. Harnett,	*no*	

South-

South Carolina,	Mr. Middleton,	*ay*	
	Mr. eyward,	*no*	*no*
	Mr. Laurens,	*no*	
Georgia,	Mr Walton,	*no*	
	Mr. Brownſon,	*no*	*no*

So it paſſed in the negative.

It was then moved "That the quantum of repreſentation for each ſtate ſhall be computed by numbers proportioned according to its contribution of money or tax levied, agreeable to this confederation & paid into the public treaſury towards the annual expences neceſſary for the ſupport of the union."

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts Bay,	Mr. S. Adams,	*no*	
	Mr. J. Adams,	*ay*	*no*
	Mr. Gerry,	*no*	
Rhode Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr Dyer,	*no*	
	Mr. Law.	*no*	*no*
	Mr. Williams,	*no*	
New York,	Mr. Duane,	*no*	
	Mr. Duer,	*no*	*no*
New Jerſey,	Mr. Witherſpoon	*no*	*no*
Pennſylvania,	Mr Morris,	*no*	
	Mr Roberdeau,	*no*	*no*
Maryland,	Mr Chaſe,	*no*	
	Mr Carroll,	*no*	*no*
	Mr. Smith,	*no*	
Virginia,	Mr Harriſon,	*ay*	
	Mr. Jones,	*ay*	
	Mr. F. L. Lee,	*ay*	*ay*
	Mr. R. H Lee,	*ay*	
North Carolina,	Mr. Penn,	*no*	
	Mr Harnett,	*no*	*no*
South Carolina,	Mr. Middleton,	*ay*	
	Mr. Heyward,	*no*	*no*
	Mr Laurens,	*no*	
Georgia,	Mr. Walton,	*no*	
	Mr. Brownſon,	*no*	*no*

So it paſſed in the negative.

The queſtion put on the article as reported.

New Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts Bay,	Mr. S Adams,	*ay*	
	Mr J Adams,	*no*	*ay*
	Mr. Gerry,	*ay*	

Rhode-

Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	
	Mr. Law,	*ay*	*ay*
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*ay*	
	Mr. Duer,	*ay*	*ay*
New Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
Pennſylvania,	Mr. Morris,	*ay*	
	Mr. Roberdeau,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	
	Mr. Carrol,	*ay*	*ay*
	Mr. Smith,	*ay*	
Virginia,	Mr. Harriſon,	*no*	
	Mr. Jones,	*no*	
	Mr. F. L. Lee,	*no*	*no*
	Mr. R. H. Lee,	*no*	
North-Carolina,	Mr. Penn,	*no*	*divided.*
	Mr. Harnett,	*ay*	
South Carolina,	Mr. Middleton,	*no*	
	Mr. Heyward,	*ay*	*ay*
	Mr. Laurens,	*ay*	
Georgia,	Mr. Walton,	*ay*	
	Mr. Brownſon,	*ay*	*ay*

So it was reſolved, That in determining queſtions each ſtate ſhall have one vote.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 8, 1777.

A letter of the 5th from General Waſhington and a petition from David Redic were read:

Ordered, That the petition be referred to the board of war.

Whereas the fourth Georgia battalion of continental troops commanded by colonel John White, is about to march from the ſtate of Pennſylvania to its ſtation in the ſtate of Georgia; and whereas it may be neceſſary for the good order of the ſaid battalion that general courts martial may be held to try and puniſh offenders for breach of the articles of war on the march of the ſaid battalion; and whereas there is no general officer in the ſervice of the United States ſtationed on or near the rout of its march, without whoſe authority according to the articles of war, no general court martial can be held for the trial and puniſhment of ſuch offenders:

Resolved, Therefore that the said colonel John White be empowered, at any time in the course of his said march, to order a general court martial to consist of his own officers, if none others of the continental army can be conveniently summoned, and to try any non-commissioned officer and soldier belonging to the said battalion, who shall be charged with breaking any of the articles of war; and to confirm the sentence of any such court martial, to discharge the said court martial, or to confirm any such sentence and afterwards to remit the punishment that shall be so sentenced, as he shall think proper; provided that the powers hereby given shall cease and determine so soon as the said battalion shall arrive at its station in Georgia.

A motion was made to prevent an intercourse between the towns in the possession of the enemy and the inhabitants of the country.

Ordered, That it be referred to a committee of three;

The members chosen, Mr. R. H. Lee, Mr. J. Adams and Mr. Chase.

Four o'Clock, P. M.

The committee to whom was referred the motion for preventing an intercourse between the towns in the possession of the enemy and the inhabitants of the country, brought in a resolution for that purpose; which was agreed to as follows.

Whereas it is of essential consequence to the general welfare that the most effectual measures should be forthwith pursued for cutting off all communication of supplies or intelligence to the enemy's army now in and near the city of Philadelphia; and whereas it has been found by the experience of all states, that in times of invasion the process of the municipal law is too feeble and dilatory to bring to a condign and exemplary punishment persons guilty of such traiterous practices,

Resolved, That any person, being an inhabitant of any of these states, who shall act as a guide or pilot by land or water for the enemy, or shall give or send intelligence to them, or in any manner furnish them with supplies of provisions, money, cloathing, arms, forage, fuel, or any kind of stores, be considered and treated as an enemy and traitor to these United States; and that general Washington be empowered to order such person taken within thirty miles of any city, town or place in the states of Pennsylvania, Jersey or Delaware, which is or may be in the possession of any of the enemy's forces, to be tried by a court martial, and such court martial are hereby authorised to sentence any such persons convicted before them of any of the offences aforesaid, to suffer death or such other punishment as to them shall seem meet.

This

This reſolve to remain in force until the firſt day of January next unleſs ſooner revoked by Congreſs.

And whereas it has been repreſented to Congreſs that many evil diſpoſed perſons, enemies to theſe United States, make a practice of paſſing to and from the enemy's quarters, propagating falſe intelligence, thereby to diſpirit the people and aid the cauſe of our enemies:

Reſolved, That it be recommended to all magiſtrates and officers civil and military, and to all the good people of theſe ſtates, to be vigilant in apprehending, ſecuring and bringing to condign puniſhment all ſuch offenders, in order that a ſpeedy and effectual ſtop may be put to ſuch a pernicious practice.

Reſolved, Unanimouſly, that the thanks of Congreſs be given to general Waſhington for his wiſe and well concerted attack upon the enemy's army near Germantown on the 4th inſtant, and to the officers and ſoldiers of the army for their brave exertions on that occaſion: Congreſs being well ſatisfied that the beſt deſigns and boldeſt efforts may ſometimes fail by unforeſeen incidents, truſting that on future occaſions the valour and virtue of the army will, by the bleſſing of heaven, be crowned with compleat and deſerved ſucceſs

Reſolved, That Mr. Heyward and Mr. Laurens be added to the committee appointed to carry into execution the reſolution of Congreſs ordering a medal to be ſtruck and preſented to general Waſhington.

Reſolved, That to morrow Congreſs take into conſideration that part of the articles of confederation that relates to taxation.

A letter of the 27th September from General Schuyler at Albany was read.

The committee on the treaſury brought in a report; where upon

Ordered, That a warrant iſſue on the treaſurer in favour of William Hornby for 20,000 dollars in diſcharge of a bill drawn on the preſident of Congreſs by the preſident of Georgia for the uſe of the continental troops in that ſtate; the ſaid ſum to be conſidered as part of the three hundred thouſand dollars appropriated to ſupply the military cheſt in that ſtate, and the ſaid ſtate to be accountable.

That another warrant be drawn on the treaſurer in favour of W. Hornby for 500 dollars, to defray his expences in coming and returning from Georgia to Yorktown in Pennſylvania, agreeable to the requeſt of the preſident of Georgia, the ſaid ſum to be conſidered as part of the four hundred thouſand dol-

lars appropriated to reimburſe the ſtate of Georgia its expenditures for the continent, the ſaid ſtate to be accountable.

Ordered, That 5000 dollars be advanced to Peter Tarling, deputy quartermaſter general to the troops in Georgia, he to be accountable; and that the ſame be conſidered as part of the 300,000 dollars appropriated for the uſe of the continental troops in that ſtate.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *October* 9, 1777.

Ordered, That ſo much of general Schuyler's letter of the 27th of February as relates to Indian affairs be referred to the committee on Indian affairs, and that ſo much of the ſaid letter as relates to his requeſt of being furniſhed with a copy of the accuſations againſt him, be referred to the committee appointed to collect evidence and facts relative to the evacuation of Ticonderoga and mount Independence.

A petition from captain Silas Talbut was read:

Ordered, That it be referred to the board of war.

A memorial from George M'Intoſh was read; whereupon

A motion was made that it be reſolved "that Congreſs have no power to try and determine the caſe of George M'Intoſh, he being a citizen of Georgia;" on which the previous queſtion was moved whether that queſtion be now put.

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connnecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New-York,	Mr. Duane,	*ay*	*divided*
	Mr. Duer,	*no*	
New Jerſey,	Mr. Witherſpoon,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carrol,	*ay*	

Vir-

Virginia,	Mr. Harrison,	*ay*	*ay*
	Mr. Jones,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. R. H. Lee,	*ay*	
North Carolina,	Mr. Penn,	*ay*	*divided.*
	Mr. Harnett,	*no*	
South-Carolina	Mr. Middleton,	*ay*	*no*
	Mr. Heyward,	*no*	
	Mr. Laurens,	*no*	
Georgia,	Mr. Brownson,	*no*	*no*
	Mr. Walton,	*no*	

So it passed in the negative.

Upon considering the papers received from the president of the state of Georgia respecting George M'Intosh, taken into custody in consequence of information transmitted and a request made by Congress to the government of the said state; and the memorial of the said George M'Intosh, praying Congress to take his case into consideration.

Resolved, That a committee of three be appointed to examine into the said papers and memorial, and report their opinion whether there is sufficient cause before Congress for the detention of the said George M'Intosh, in order that if such cause appear he may be sent a prisoner to the state of Georgia, of which he is a citizen, for his trial, or otherwise may be discharged;

The members chosen, Mr. J. Adams, Mr. Duane and Mr. Williams.

Four o'clock, P. M.

The article relative to taxation in the confederation reported by the committee of the whole Congress, was read as follows:

"All charges of war and all other expences that shall "be incurred for the common defence or general welfare, "and allowed by the United States assembled, shall be "defrayed out of a common treasury, which shall be sup- "plied by the several states in proportion to the num- "ber of inhabitants of every age, sex and quality, ex- "cept Indians not paying taxes in each state; a true ac- "count of which, distinguishing the white inhabitants shall "be triennally taken and transmitted to the Assembly "of the United States. The taxes for paying that pro- "portion shall be laid and levied by the authority and di-

"rection

" rection of the legiſlatures of the ſeveral ſtates within the " time agreed upon by the United Sates aſſembled."

After debate thereon,

Reſolved, That the farther conſideration thereof be poſtponed till to morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *October* 10, 1777.

A letter of the 27th September from major general Sullivan, incloſing a bundle of papers, was read.

A memorial from George Ewing, commiſſary of hides, was read:

Ordered, That it be referred to the board of treaſury.

Ordered, That 12000 dollars be advanced to the marine committee, for the public ſervice in Baltimore in the ſtate of Maryland, the ſaid committee to be accountable.

That 2000 dollars be advanced to the ſaid marine committee, to diſcharge bills drawn upon them, the ſaid committee to be accountable.

The committee to whom were referred the papers received from the preſident of the ſtate of Georgia reſpecting George M'Intoſh, taken into cuſtody in conſequence of information tranſmitted and a requeſt made by Congreſs to the government of the ſtate of Georgia, and the memorial of the ſaid George M'Intoſh, praying Congreſs to take his caſe into conſideration report, " That they have examined into the ſaid papers and memorial, and are of opinion that there is not ſufficient cauſe before Congreſs for the detention of the ſaid George M'Intoſh; whereupon,

Reſolved, That the ſaid George M'Intoſh be diſcharged.

The committee on the treaſury brought in a report, whereupon,

Ordered, That there be advanced to major James Armſtrong Wilſon, appointed to command two companies to be raiſed in the ſtate of Pennſylvania for the purpoſe of guarding the continental ſtores at Carliſle, 1000 dollars for the uſe of the ſaid companies, he to be accountable.

Reſolved, That John Montgomery, eſquire, at Carliſle, be and he is hereby appointed and authoriſed to muſter the two companies under the command of major J. A. Wilſon,

Wilſon, for the diſcharge of which duty a reaſonable allowance ſhall be made to him.

Ordered, That a warrant iſſue on the auditor general in favour of the board of war for 300,000 dollars, to be tranſmitted by them to the deputy paymaſter general of the Northern department for the uſe of the ſaid department, and for which he is to be accountable:

That a warrant iſſue on the commiſſioner of the loan office in the ſtate of New-York in favour of the commiſſary general of purchaſes, to be tranſmitted to Peter Colt, eſquire, deputy commiſſary general of purchaſes in the Eaſtern department, for 200,000 dollars for the uſe of the ſaid department, for which the commiſſary general is to be accountable.

Ordered, That there be paid to Benjamin Walker, or order, 500 dollars in diſcharge of a bill dated the 17th of July laſt, drawn by governor Treutlan of the ſtate of Georgia on the continental treaſurer, expreſſed to be for the expences incurred in recruiting and muſtering a company of light horſe for the ſaid State; for which ſum the ſaid ſtate is to be accountable; and the ſame is to be conſidered as part of the 300,000 dollars appropriated for ſupplying the military cheſt in the ſaid ſtate.

Ordered, That there be paid to Daniel Mallet, or order, 1000 dollars in diſcharge of a bill dated 8th February laſt, drawn in his favour by John Aſhe, eſquire, public treaſurer of the ſtate of North Carolina, on the continental treaſurer, expreſſed to be for proviſions furniſhed the continental troops raiſed in the ſaid ſtate; for which ſum the ſaid ſtate is to be accountable, and the ſame is to be conſidered as part of the 500,000 dollars heretofore appropriated for the uſe of that ſtate

That there be paid to Robert Rallſton, or order, 250 dollars, in diſcharge of a bill dated 10th May laſt, drawn by John Aſhe, eſquire, public treaſurer of the ſtate of North-Carolina, on the continental treaſurer, expreſſed to be for the uſe of that ſtate, for which the ſtate is to be accountable, and the ſame is to be conſidered as part of the 500,000 dollars appropriated for the uſe of that ſtate.

Reſolved, That 800 dollars be preſented to monſ. Preudhomme de Borre, to defray his expences to Charleſtown South-Carolina, and from thence to France.

Reſolved, That one hundred blank commiſſions for privateers be ſigned and delivered by the preſident to the committee of commerce, to be by them tranſmitted to

ſuch

such of their agents and correspondents abroad as they may think proper to intrust therewith.

Four o'Clock, P. M.

A letter of the 8th from general Mifflin was read, wherein he represents that his health is so much impaired and the probability of a recovery so distant, that he thinks it his duty to return to Congress their commissions to him of major-general and quartermaster general.

Congress being informed of great irregularity committed by the fourth Georgia battalion commanded by colonel White, contrary to all order and discipline, and to the great annoyance and injury of the good people of the country through which the said regiment hath passed,

Resolved, That colonel White be ordered immediately to join his regiment, and continue with it until the regiment shall arrive in Georgia, that he take the most effectual care to prevent future irregularities of any kind being committed by the said regiment on its march; and that his Excellency the governor of Maryland be requested to appoint proper persons to value the damages done by the said regiment since it entered the state of Maryland, and that the same be sent to the regimental paymaster, who is directed to deduct the amount from the pay of the said regiment, and pay the same to the order of governor Johnson for the benefit of the sufferers.

Ordered, That the board of war prepare a resolution for preventing the inhabitants being plundered by troops in the pay of the continent.

The board of war brought in a report; whereupon

Resolved, That captain Silas Talbut, of the state of Rhode-Island, be promoted to the rank and have the pay of major in the army of the United States, in consideration of his merit and services in a spirited attempt to set fire to one of the enemy's ships of war in the north river last year; and that he be recommended to general Washington for employment agreeable to his rank.

The board of war brought in a report; whereupon

Resolved, That captain Silas Talbut make an estimate of the expence and loss incurred by him in the attempt to destroy the said ship of war, to be laid before the treasury board for their consideration.

Congress resumed the consideration of the articles of confederation under debate yesterday: and after some time

Resolved, That the farther consideration thereof be postponed till to morrow.

The

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *October* 11, 1777.

A letter of the 6th from general Putnam at Peek's-kill and one of the 4th from Peter Colt were read.

Resolved, That a committee of three be appointed to enquire of the commissary general of purchases the measures adopted by him for obtaining the necessary supplies of provisions for the ensuing year, and report thereon to Congress:

The members chosen, Mr. Gerry, Mr. Roberdeau, and Mr. Law.

The board of war brought in a report; whereupon

Resolved, That the commissary general of issues, his deputies and assistants, and all persons employed under him or them, deliver over on demand, to the commissary of hides, all hides, tallow, feet and offal of all cattle killed for the use of the army, taking a receipt for the same, any order or direction of any person or persons to the contrary notwithstanding:

That the said commissary of hides be supplied with money for carrying on the business of his department, from time to time, upon his application to Congress, and that he shall settle his accounts once a year or oftener if required with the treasury board:

That he or his deputies at any principal department or post be authorised to hire or impress one or more waggons or carriages for the use of his department, as occasion may require, which shall not be subject to be impressed for any other service by any officer of the army, unless by special direction of the commander in chief for the time being; and if any officer shall (except as before excepted) on any pretence whatsoever, impress without his consent any waggon, cart or carriage in the service of the said commissary of hides, he shall immediately on application to the commanding officer nearest the place where the transaction happens, be put under arrest, be liable to pay all loss the states sustain by such impressment, and suffer such other punishment as shall be deemed proper by a court martial:

That the commander in chief and the commanding officer of any department, post or detachment, be directed to supply the commissary general of hides and his

respective deputies with guards for their waggons, when the said commissary shall apply for the same and they shall appear to be necessary:

That the said commissary of hides shall make a return once in every three months to the board of war of his whole transactions, specifying the number of workmen employed, the quantities of hides on hand the quantities exchanged for leather and shoes, what quantity is made up into shoes, and what otherwise disposed of; and to enable him to do this, his deputies and assistants, whose names, occupations and pay or wages he is also to return, shall make monthly returns to the said commissary of hides.

That the said commissary of hides shall receive and take care of the tallow and all other useful offal of the cattle belonging to the United States, and see that the said tallow is properly rendered and made fit to be manufactured into candles and soap for the use of the army, and shall deliver the said tallow so rendered to the commissary general of purchases or his order, taking receipts for the same, reserving so much of the said tallow, as may be necessary for the manufactory of the leather and the use of his own department:

That the commissary of hides have the appointment of all deputies and assistants to be employed under him, for whose conduct he shall be responsible, and have authority to displace them at pleasure.

The board of treasury brought in a report; whereupon

Ordered, That there be advanced to George Ewing, esquire, commissary of hides, 5000 dollars for the use of his department, and for which he is to be accountable.

Whereas it is represented that monsr. du Coudray had in his pocket book the day he was unfortunately drowned the order of Congress of the 15th of September for paying to him 1500 dollars, for the use of the gentlemen who accompanied him from France, named in the said order, and that the said order has been never paid but is lost.

Ordered, That the money mentioned in the said order be paid to monsr. le Brun, for the use of the gentlemen therein named, he to be accountable.

Ordered, That there be paid to Thomas Heyward, esquire, one of the committee of foreign affairs, 29 84-90 dollars advanced by him to an express for bringing dispatches to Congress.

Ordered,

Ordered, That That there be paid to Silas Talbut 42 2-3 dollars, in full for his account of expences and losses in consequence of his taking the command of a fire ship in the North-river and attempting to burn one of the British ships of war in the said river.

A letter and memorial from Archibald Allan and Reynold M'Donnel (prisoners) were read:

Ordered, That they be referred to the board of treasury.

A memorial from colonel de la Balme, inspector of cavalry, was presented to Congress and read, wherein he intreats Congress to accept his resignation and to order the payment of what is due to him: whereupon

Resolved, That the resignation of colonel de la Balme be accepted, and that the arrears due to him be paid.

Ordered, That the committee appointed to prepare an earnest recommendation to the several states to proceed to taxation, and to prepare an estimate of the quotas to be raised in each state by such taxation, &c. sit on that business and report on Tuesday next.

Four o'clock, P. M.

Congress resumed the consideration of the article of confederation last under debate, and after some time spent thereon,

Resolved, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

MONDAY, *October* 13, 1777.

A letter of the 7th from general Washington near Pennibaker's mill, with sundry papers inclosed, another of the 10th from general Washington, 26 miles from Philadelphia, were read.

Ordered, That 300,000 dollars be paid to the board of war, to be by them sent as speedily as possible to the pay master general for the use of the army under the command of general Washington.

Another letter of the 8th from general Washington; one of the 4th from governor Livingston; one of the 5th from general Gates at Behman's heights, inclosing sundry papers; one of the 6th and one of the 11th from general Sullivan; one of the 1st from John Smith, lieutenant of

Frederick

Frederick county, Virginia, with fundry papers inclofed, were read; alfo a remonftrance from Ifrael Pemberton and others, and a memorial from chevalier du Portail; were read.

Ordered, That the letters from general waſhington, governor Livingſton, general Gates, and Mr. Smith, and the memorial from Iſrael Pemberton and others, be referred to the board of war.

A letter of the 2d from colonel Nichola was read:

Ordered, That it be referred to the board of war.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the commiſſioned and non-commiſſioned officers who accompanied monſ. du Coudray from France have the ranks propoſed for them in France, together with the pay and emoluments of officers of equal ranks in the ſervice of the United States.

That in caſe the ſaid officers ſhall decline accepting the above propoſals, it be referred to the board of treaſury to conſider what gratifications ſhall be given to the ſaid officers reſpectively in compenſation for their loſs of time and expence, and to defray the charges of their voyage to France.

That it be referred to the board of treaſury to ſettle the accounts of the late monſ. du Coudray.

Ordered, That the board of war apply to the the executive power of Pennſylvania and requeſt their co-operation to ſupply the army with ſhoes, ſtockings and other neceſſaries, and that the board maintain a conſtant correſpondence with the executive powers of the ſaid ſtate, and with general Waſhington, for the purpoſe above mentioned, and for the ſervice of the army in general.

Four o'Clock, P. M.

Reſolved, That it would be inconſiſtent with the public ſafety to permit doctor John Connolly, at preſent a priſoner on parole, to remain any longer at large, and therefore that the board of war be directed to order him into ſafe cuſtody immediately, taking care to ſeize ſuch of his papers as may be of a political nature.

Whereas a number of the members appointed to hear and determine appeals are abſent;

Reſolved, That a new committee, to conſiſt of five members, be appointed, and that they or any three of them be

be empowered to hear and finally determine upon appeals brought to Congreſs.

The members choſen, Mr. J. Adams, Mr. Jones, Mr. Law, Mr. Marchant and M. Laurens.

Congreſs reſumed the conſideration of the article of confederation under debate, whereupon it was moved,

"That the proportion of the public expence incurred by the United States for their common defence and general welfare to be paid by each ſtate into the treaſury, be aſcertained by the value of all property except houſhold goods and wearing apparel within each ſtate to be aſcertained agreeable to the directions of Congreſs."

Queſtion put, paſſed in the negative.

Another amendment was moved, and after debate the determination thereof, at the requeſt of a ſtate was poſtponed till to-morrow.

The ſeveral matters to this day referred, being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *October* 14, 1777.

A letter of the 13th from colonel G. Morgan, with ſundry papers and accounts incloſed, was read:

Ordered, That the ſame be referred to the board of treaſury.

Congreſs reſumed the conſideration of the amendment moved yeſterday, viz. "That the proportion of the public expence incurred by the United States for their common defence and general welfare, to be paid by each ſtate into the treaſury, be aſcertained by the value of all land within each ſtate, granted to or ſurveyed for any perſon, as ſuch land, the buildings and improvements thereon ſhall be eſtimated, according to ſuch mode as Congreſs ſhall from time to time direct and appoint."

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New York,	Mr. Duane,	*no*	*divided.*
	Mr. Duer.	*ay*	

New-

New-Jerſey,	Mr Witherſpoon	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. Morris,	*ay*	*divided.*
	Mr. Roberdeau,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carrol,	*ay*	
	Mr. Smith,	*ay*	
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. R. H. Lee,	*ay*	
North Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Burke,	*ay*	
	Mr Harnett,	*ay*	
South-Carolina,	Mr. Middleton,	*ay*	*ay*
	Mr. Heyward,	*ay*	
	Mr. Laurens,	*ay*	

So it was reſolved in the affirmative.

A memorial from W. Buchanan, commiſſary general of purchaſes, was read:

Ordered, That it be referred to the committee appointed to confer with him.

Reſolved, That Mr. Folſom, Mr. Penn, and Mr. Laurens be added to the marine committee, in the room of the members from their reſpective ſtates heretofore appointed on the ſaid committee.

Whereas the Britiſh nation have received into their ports, and condemned in their courts of admiralty as lawful prize ſeveral veſſels and their cargoes belonging to theſe ſtates, which the maſters and mariners, in breach of the truſt and confidence repoſed in them, have betrayed and delivered to the officers of the Britiſh crown:

Reſolved, therefore, That any veſſel or cargo the property of any Britiſh ſubject, not an inhabitant of Bermuda or any of the Bahama Iſlands, brought into any of the ports or harbours of any of theſe United States by the maſter or mariners, ſhall be adjudged lawful prize and divided among the captors in the ſame proportion as if taken by any continental veſſel of war.

Four o'Clock, P. M.

The committee on the treaſury brought in a report, whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office for the ſtate of Pennſylvania for 10000 dollars in favour of William Henry, eſquire, appointed to

to purchaſe ſhoes and leather and to ſuperintend the reparation of continental arms for the uſe of his department, and for which he is to be accountable.

Ordered, That there be paid to Robert Turner, or his order, 462 1-3 dollars, in diſcharge of a bill drawn on the continental treaſurer, by John Aſhe, eſquire, public treaſurer of the ſtate of North-Carolina, in his favor, dated 9th May, and expreſſed to be for the ſervice of the United States; for which ſum the ſaid ſtate is to be accountable, and the ſame is to be conſidered as part of the 500,000 dollars appropriated for that ſtate.

Congreſs took into conſideration that part of the articles of confederation relative to the manner of conſtituting the Congreſs of the United States.

On the queſtion put,

Reſolved, That no perſon ſhall be capable of being a delegate for more than three years in any term of ſix years.

It was then moved,

"That no ſtate ſhall be repreſented in Congreſs by leſs than two nor by more than ſeven members.

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S Adams,	*ay*	*ay*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law.	*ay*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
New Jerſey,	Mr. Witherſpoon	*no*	*no*
	Mr. Elmer,	*no*	
Pennſylvania,	Mr. Morris,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carroll,	*ay*	
	Mr. Smith,	*ay*	
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. R. H. Lee,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Burke,	*ay*	
	Mr. Harnett,	*ay*	South-

South Carolina,	Mr. Middleton, *ay*	*ay*
	Mr. Heyward, *ay*	
	Mr. Laurens, *ay*	

So it paſſed in the affirmative.

A memorial from the chevalier Dorſet was read:

Ordered, That it be referred to the committee on foreign applications.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 15, 1777.

Mr. Harvie, a delegate from Virginia, attended and took his ſeat:

Ordered, That the committee of commerce take effectual meaſures to make as public as poſſible the reſolution paſſed yeſterday for making lawful prize Britiſh veſſels or cargoes brought into any of the ports of the United States by the maſter or mariners.

A letter of the 8th from general Putnam at Fiſhkill was read.

Ordered, That it be referred to the committee of intelligence.

A motion was made for recruiting the army:

Ordered, That it be referred to a committee of three.

The members choſen, Mr. Gerry, Mr. Duer and Mr. R. H. Lee.

Ordered, That the committee ſit on this buſineſs this evening and report to-morrow morning.

The committee to whom was referred the letter of William Buchanan, commiſſary general of purchaſes, dated the 14th, brought in a report which was taken into conſideration; whereupon

Reſolved, That a deputy commiſſary general of purchaſes, and a deputy commiſſary general of iſſues be appointed for ſupplying the forts and poſts on the weſtern frontiers of Pennſylvania and Virginia, and that the limits of the diſtrict be aſſigned by the reſpective commiſſaries general:

That aſſiſtant purchaſing commiſſaries be not allowed in the diſtrict aforeſaid:

That the ſaid deputy commiſſary general of iſſues be directed to receive from colonel G. Morgan all the proviſions

viſions in his poſſeſſion, belonging to the United States, who is directed to take receipts for the ſame, and deliver his accounts and vouchers to the board of treaſury in order for ſettlement, and for charging the ſaid proviſions to the commiſſary of iſſues.

Ordered, That to-morrow be aſſigned for appointing the deputy commiſſaries general aforeſaid.

Congreſs took into conſideration the article of confederation relative to the powers of Congreſs; and after debate,

Reſolved, That the farther conſideration thereof be poſtponed to the afternoon.

Four o'Clock, P. M.

Ordered, That Mr. Morris have leave of abſence till Monday next.

The committee on the treaſury brought in a report;—whereupon

Ordered, That there be advanced to William Buchanan, eſquire, commiſſary general of purchaſes, 100,000 dollars for the uſe of his department, he to be accountable.

Reſolved, That a committee of three be appointed to conſider of, and report a competent allowance to ſupport the extraordinary expence of the preſident of Congreſs in the execution of his office:

The members choſen, Mr. Duane, Mr. Laurens, and Mr. Morris.

Congreſs reſumed the conſideration of the article of confederation under debate this morning, whereon it was moved,

"That in order to render the preſent union and confederacy firm and perpetual, it is eſſential that the limits of each reſpective territorial juriſdiction ſhould be aſcertained by the articles of confederation; and therefore it is recommended to the legiſlatures of every ſtate to lay before Congreſs a deſcription of the territorial lands of each of their reſpective ſtates, and a ſummary of the grants, treaties and proofs upon which they are claimed or eſtabliſhed."

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	

Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	
	Mr. Law,	*no*	*no*
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	
	Mr. Duer.	*ay*	*ay*
New Jerſey,	Mr. Witherſpoon,	*no*	
	Mr. Elmer,	*no*	*no*
Pennſylvania,	Mr Morris,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	
	Mr. Carroll,	*ay*	*ay*
	Mr. Smith,	*no*	
Virginia,	Mr. Jones,	*no*	
	Mr. F. L. Lee,	*no*	*no*
	Mr. R. H. Lee,	*no*	
North-Carolina,	Mr. Penn,	*no*	
	Mr. Harnett,	*no*	*no*
South-Carolina,	Mr. Middleton,	*no*	
	Mr. Heyward,	*no*	*no*
	Mr. Laurens,	*no*	

So it paſſed in the negative.

It was then moved, "that the United States in Congreſs aſſembled ſhall have the ſole and excluſive right and power to aſcertain and fix the weſtern boundary of ſuch ſtates as claim to the ſouth ſea, and to diſpoſe of all land beyond the boundary ſo aſcertained for the benefit of the United States;" queſtion put,

Paſſed in the negative.

It was then moved, "that the United States in Congreſs aſſembled ſhall have the ſole and excluſive right and power to aſcertain and fix the weſtern boundary of ſuch ſtates as claim to the Miſſiſippi or ſouth ſea, and lay out the land beyond the boundary ſo aſcertained into ſeparate and independent ſtates from time to time as the numbers and circumſtances of the people thereof may require."

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	*no*
	Mr Lovell,	*no*	
Rhode Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer.	*no*	
	Mr. Law,	*no*	*no*
	Mr. Williams,	*no*	

New-

New-York,	Mr. Duane,	*no*	*no*
	Mr. Duer,	*no*	
New Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	M. Elmer,	*ay*	
Pennſylvania,	Mr. Morris,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carroll,	*ay*	
	Mr. Smith,	*ay*	
Virginia,	Mr. Jones,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. R. H. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina	Mr. Middleton,	*no*	*no*
	Mr. Heyward,	*no*	
	Mr. Laurens,	*no*	

So it paſſed in the negative.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *October* 16, 1777.

A letter of the 13th from general Waſhington, with the copy of the judgment of a court of enquiry appointed to examine into the conduct of major general Sullivan in the expedition commanded by him to Staten-Iſland in the month of Auguſt laſt, and ſundry other papers; alſo a letter of the 10th from Jonathan Trumbull, junior, deputy pay-maſte general in the Northern department, and one of the 14th from general Mifflin at Reading, with ſundry papers incloſed; were read.

Ordered, That 2249 dollars be paid to meſſ. Livingſton and Turnbull, or order, in diſcharge of a bill in their favour drawn by J. Bradford, dated Boſton 29th Auguſt, 1777, on the marine committee, expreſſed to be for value received for the naval department in the ſervice of the United States; the ſaid J. Bradford to be accountable.

Ordered, That the letter from general Waſhington, with the papers incloſed be referred to the board of war, and that the judgment of the court of enquiry be publiſhed.

Ordered, That the letter from general Mifflin and J. Trumbull, eſquire, be referred to the board of treaſury.

Ordered, That a warrant for 200,000 dollars be drawn on the commiſſioner of the loan-office for the ſtate of Maſſchuſetts-Bay, in favour of Jonathan Trumbull, junior, deputy paymaſter

paymaſter general for the uſe of the army in the Northern department, and for which the ſaid J. Trumbull is to be accountable.

Ordered, That a copy of general Waſhington's letter of the 13th and the returns relative to cloathing wanted for the army, be ſent by expreſs to each of the ſtates of Maſſachuſetts Bay Connecticut, New-Jerſey, Pennſylvania, Maryland and Virginia, and that they be reſpectively requeſted to ſend to the general with all poſſible diſpatch as many of the ſeveral articles mentioned in the return, as can be collected and are not immediately wanted for their reſpective regiments which have not joined the army, and to order the officers in the cloathier's department in the ſtates aforeſaid to uſe their utmoſt exertions in forwarding the cloathing in their poſſeſſion.

Four o'clock, P. M.

Congreſs took into conſideration a report of the committee on departments, relative to the board of war and ordnance which was debated by paragraphs:

In debating the 6th paragraph it was moved, after records to add "and papers," and after board to add "except the returns of the army, military ſtores or proviſions:" in lieu of this it was moved only to add theſe words "and to take copies thereof, excepting copies of returns of the armies, proviſions, or military ſtores, which ſhall not be delivered to any member without the order of Congreſs:" the queſtion being put on the laſt—

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connnecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*no*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*ay*	*ay*
	Mr Duer.	*ay*	
New Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr. Elmer,	*ay*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Carroll,	*ay*	
	Mr. Smith,	*no*	

Virginia

Virginia,	Mr. Jones,	*no*	
	Mr. F. L. Lee,	*no*	
	Mr. R. H. Lee,	*no*	*no*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*no*	
	Mr. Harnett,	*no*	*no*
South Carolina,	Mr. Middleton.	*ay*	
	Mr. Heyward,	*ay*	*ay*
	Mr. Laurens,	*ay*	

So it was resolved in the affirmative.

The farther consideration of the report being postponed,

Adjourned to ten o'clock to-morrow.

FRIDAY, *October* 17, 1777.

The committee on the treasury brought in a report—whereupon

Ordered, That there be advanced to Ebenezer Hazard, esquire, surveyor general of the post-office of the United States, 3000 dollars for the use of the said department, he to be accountable:

That there be advanced to Joseph Holmes, esquire, deputy commissary general of prisoners, 1500 dollars towards the expence of hiring houses or erecting barracks with pallisades for the habitation of the prisoners of war ordered to be removed into Virginia, he to be accountable:

That there be advanced to colonel George Morgan, 14000 dollars on account of expences incurred by him for the public service at fort Pitt, he to be accountable:

That there be paid to messr. Price and Haywood, 348 dollars on account of a balance due to them from the United States:

That four sets of exchange be drawn by the president on the honorable Benjamin Franklin, Arthur Lee and Silas Deane, esquires, commissioners of the United States in France, and countersigned by the auditor or assistant auditor general; one set for 18796 Spanish milled dollars, one set for 11748 Spanish milled dollars, one set for 3699 Spanish milled dollars, and one other set for 2349 Spanish milled dollars, making in the whole 37592 Spanish milled dollars, in favour of messr. James Price and William Haywood, in full payment of all demands which they or either of them have against the United States:

That the president issue the following warrants in favor of major general Mifflin, quartermaster general, for which he is to be accountable, viz. one on the commissioner of the loan-office

fice in the ſtate of Connecticut for 50000 dollars, to be tranſmitted to the deputy quartermaſter general at Fiſhkill; one on the commiſſioner of the loan office in the ſtate of New-Hampſhire for 50000 dollars, to be tranſmitted to the deputy quartermaſter general at Hartford; one on the commiſſioner of the loan office in the ſtate of Virginia 50000 dollars, to be tranſmitted to the deputy quartermaſter general at Williamſburgh; one on the commiſſioner of the loan office in the ſtate of New-Jerſey for 40000 dollars, to be tranſmitted to the deputy quartermaſter general at Eaſton; and one on the commiſſioner of the loan-office in the ſtate of Pennſylvania for 60000 dollars:

And that there be paid to the ſaid quartermaſter general, out of the treaſury or monies in the hands of the auditor-general, the farther ſum of 102000 dollars for the uſe of his department, and for which he is to be accountable; the ſaid ſeveral ſums amounting to 352000 dollars, for which the ſaid quartermaſter general has made application by letter to Congreſs, dated the 14th inſtant.

Reſolved, That Congreſs highly approve of the brave and ſpirited conduct of commodore Hazlewood and the other officers and men concerned in the defence of the river Delaware, and of their undaunted perſeverance and reſolution to maintain that paſs to the city of Philadelphia to the utmoſt extremity.

Reſolved, That four members be added to the board of war: The members choſen, Mr. Harvie, Mr. Witherſpoon, Mr. Williams and Mr. Jones.

A letter of this day from Joſeph Pennel was read:

Ordered, That it be referred to the board of treaſury.

The committee to whom was referred a motion for recruiting the army, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolutions:

Whereas the deficiency of the ſeveral battalions now in the ſervice has, in the preſent campaign, been attended with manifeſt diſadvantages to the United States; and whereas the divided ſtate of the enemy's troops, their reduced numberand diſtance from their ſhips of war, afford the moſt favorable opportunities for attacking and ſubduing them before reinforcements can be ſent to their aid; which ſalutary purpoſe may, under Providence, be obtained by the vigorous exertions of the ſeveral ſtates for ſpeedily filling their ſeveral battalions:

Reſolved, That it be earneſtly recommended to the ſaid ſtates, to uſe their utmoſt endeavours for immediately compleating their ſeveral quotas, and to addreſs their inhabitants on the advantages that will reſult therefrom: That

That to the premium of five dollars offered by a resolution of Congress of the 31st July last for apprehending and securing deserters from the continental army, an addition be made of five dollars for each deserter so apprehended and secured, and 12-90 of a dollar for each mile between the place in which he may be taken, and that to which he may be conveyed.

That the premium and other expences for apprehending deserters be stopped out of the pay which may be already due to such deserters respectively or that shall become due to such of them as may receive a pardon.

That it be recommended to the legislatures of the several states to provide by law for more effectually detecting and punishing any person who shall knowingly harbour, conceal or assist any deserter from the land or sea service of these states, or who shall knowingly detain, buy, exchange or receive any horse, arms, accoutrements or cloaths belonging to the United States, from any soldier, trooper, mariner, deserter, or any other person; and that the penalties for such offences be exemplary and the mode of recovery easy and expeditious.

That copies of the above resolves, with duplicates of the resolution of Congress of the 31st of July last, be sent to the respective states, and that they be desired to publish such parts thereof as they shall judge necessary.

That general Washington be directed forthwith to order one or more of his officers that are or may be appointed to receive recruits and deserters, agreeable to the resolution of the 31st of July last, to apply to the supreme executive authority of each respective state for the names of the recruiting officers and of the places of rendezvous, which the said executive authorities were requested to appoint by the resolution aforesaid; and that the said executive authorities are requested to furnish such commissioned officer or officers with sufficient sums of money to pay the premiums, mileages and subsistence of the recruits and deserters, which they may receive agreeable to the said resolve; to draw on Congress for such advances; to call to account for the same the officer or officers, and arrest such as shall refuse to account; and the said officer and officers are respectively directed punctually to pay the premium for each recruit and deserter as aforesaid; to take receipts for the money paid and to adjust their respective accounts with the supreme executive authority aforesaid before they leave the state, and constantly to publish the names of the places of their residence and rendezvous as aforesaid.

That

That General Washington be directed to publish a proclamation, offering pardon to such as have deserted from the continental army and shall on or before such day as he shall think proper to fix in his proclamation return to their respective corps or surrender themselves to the officers appointed to receive recruits and deserters in the respective states or to any other continental commissioned officer.

Some packets from Martineque, directed to Willing, Morris and Co. being brought into Congress while Mr Morris was absent, and it being represented that, from the information of the person who brought the packets, there was reason to believe they contained dispatches for congress or some of its committees

Ordered, That the covers be opened.

The committee on the post-office brought in a report.

Four o'clock, P. M.

Congress took into consideration the report of the committee on the post-office; whereupon

Resolved, That the postmaster general be authorised, during the present exigence, to appoint two additional surveyors of the post-office, and that all the surveyors be allowed six dollors a day each, in full consideration of travelling expences and all other allowances.

That the tour of the whole be as follows; one from Casco-Bay to Philadelphia, or, during the enemy's being in possession of that city, to Lancaster; one from Philadelphia or Lancaster to Edentown in North-Carolina, and the third from Edentown to Savannah in Georgia:

That an inspector of dead letters be appointed, with a salary of one hundred dollars a year; to examine all dead letters at the expiration of each quarter; to communicate to Congress such as contain inimical schemes or intelligence; to preserve carefully all money, loan-office certificates, lottery tickets, notes of hand and other valuable papers inclosed in any of them, and be accountable for them; and to keep a book containing an exact account of such papers, &c. so found, the date of the letters, from whence and by whom written and to whom directed; that he be under oath faithfully and impartially to discharge the duties of his office; that he be enjoined to take no copy of any letter whatever, and not to divulge their contents to any but Congress or those whom they may appoint for the purpose:

That the post go not out of his regular and usual course in order to pass by head quarters, but that the postmasters on each

each ſide of head quarters and neareſt to them have authority to hire expreſſes for the purpoſe of carrying letters for the army to the poſt-office there :

That the rate of poſtage be encreaſed fifty per cent.

Reſolved, That an allowance of 250 dollars be made to the preſent ſurveyor of the poſt office for paſt extraordinary ſervices.

Reſolved, That the committee of intelligence be authoriſed to take the moſt ſpeedy and effectual meaſures for getting a printing preſs erected in Yorktown, for the purpoſe of conveying to the public the intelligence that Congreſs may from time to time receive.

Congreſs reſumed the conſideration of the report on the war-office which was agreed to as follows :

Reſolved, That a board of war be eſtabliſhed, to conſiſt of three perſons not members of Congreſs :

That there ſhall be a ſecretary to the ſaid board, to be appointed by Congreſs :

That the board ſhall recommend for the approbation and appointment of Congreſs as many clerks as ſhall be neceſſary for aſſiſting them in the execution of the buſineſs of their department.

That the power and duties of the ſaid board be as follows. To obtain and keep an alphabetical and accurate regiſter of the names of all officers in the land forces in the ſervice of the United States with their ranks and the dates of their commiſſions ; to fill up all military commiſſions, which ſhall be ſigned by the preſident of Congreſs and counterſigned by the ſecretary of the war-office, and to publiſh annually a regiſter of all appointments ; to obtain and keep regular and exact accounts of the numbers and diſpoſition of the forces of the United States ; to obtain and keep exact accounts of all the artillery, arms, ammunition, warlike ſtores, cloathing, medicines and proviſions belonging to the United States, and of the manner in which and the places where the ſame ſhall from time to time be lodged and employed ; to take the immediate care and direction of all ſuch artillery, arms, ammunition and warlike ſtores as ſhall not be employed in actual ſervice ; to ſuperintend the building and management of laboratories, arſenals, foundries magazines, barracks and other public buildings, the neceſſity of which they are from time to time to report to Congreſs ; to forward all diſpatches from Congreſs to the ſtates and armies, and all monies ordered by Congreſs to be tranſmitted for the public ſervice, and to provide guards for the ſafe conveyance of ſuch diſpatches and monies, whenever it ſhall appear to the board to be neceſſary ; to ſuperintend the raiſing,

recruiting and dispatching of the land forces in the service of the United States; to take care and direction of prisoners of war; to lay before Congress proper and seasonable estimates of such artillery, arms, ammunition and warlike stores, cloathing and medicines as shall from time to time be wanted for the service of the United States; to execute all such matters as they shall be directed; to give their opinion on all such subjects as shall be referred to them by Congress; and in general to superintend the several branches of the military department; and if at any time they think a measure necessary for the public service, to which their powers are incompetent, they shall communicate the same to Congress for their direction therein; to keep fair entries of all the business transacted by them:

The said board shall sit in the place where Congress shall be held, and no member of the board shall absent himself without leave of Congress;

All the proceedings of the board shall be inspected by Congress or a committee by them appointed for that purpose, once a month or oftner, as may be thought proper and convenient; and every member of Congress may have free access to the records of the said board and take copies thereof, excepting copies of returns of the armies, provisions or military stores excepting copies of returns of the armies, provisions or military stores, which shall not be delivered to any member without the order of Congress.

Resolved, That all military and other officers attending upon or connected with the army of the United States, be and they are hereby required and enjoined to observe the directions of the said board in making and transmitting proper returns, and such other matters as may tend to facilitate the business of the said board:

That it be recommended to each of the United States to give the said board all necessary assistance in the execution of the business of their department.

Resolved, That the salary of each of the three gentlemen who shall conduct the business of the board of war be two thousand dollars per annum.

Ordered, That to-morrow be assigned for electing commissioners to audit and settle the accounts of Georgia against the United States.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

SATURDAY, *October* 18, 1777.

A letter of the 12th from general Gates at Saratoga, and sundry papers enclosed, were read: *Ordered*,

Ordered, That they be referred to the committee of intelligence.

Resolved, That all letters, returns and dispatches relative to the public affairs of these United States in the department of the treasury board, the board of war, the marine committee, the commitee of commerce, the committee of foreign affairs, and all other committees and departments be for the future directed to Congress or the president; any resolution of Congress to the contrary notwithstanding.

The committe of commerce laid before Congress a letter from Mr. Bingham at Martinique, containing a copy of sundry resolutions passed by the assembly of the state of Georgia the 26th May last, and sundry other papers, which were read: whereupon

Congress taking into consideration a resolve of the house of assemby of Georgia of the 26th May last, purporting "that captain de la Playne be empowered to engage two or three engineers of character, with some officers for the artillery service, and that there be delivered to him some blank continental commissions, which he may bestow on such officers as he may think proper for recruiting men, both soldiers and sailors, which business if compleated, the officers and men shall be received into the continental battalions and service of that state; and that he do also receive cadets according to the usual custom of the army."

Resolved, That Congress highly disapprove of continental commissions being sent abroad in the manner and for the use mentioned in the said resolve, as well as of the design to recruit soldiers for the continental service in foreign parts without application to Congress and permission from the princes and governments within whose dominions such recruits may be obtained.

Ordered, That this resolve be transmitted to the American commissioners at Paris by the committee for foreign affairs:

That a copy thereof be sent to the state of Georgia.

Ordered, That the letters and papers be referred to the board of war.

A letter to the medical committee from William Shippen, director general, was read;

Ordered, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *October* 20, 1777.

A letter of the 16th from general Washington at Wentz's tavern, inclosing a letter of the 8th and one of the 13th from

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Jacob Duche; alſo a letter of the 11th from colonel David Maſon, incloſing the judgment of a court martial on the trial of John More, a deſerter, were read:

Ordered, That the judgment of the court martial be referred to the board of war, and the letter from colonel Maſon to the board of treaſury.

A letter of the 16th from the reverend Mr. George Duffield at Trenton, was read, wherein he declares his acceptance of the office of Chaplain to Congreſs.

Congreſs proceeeded to the election of a chaplain for the hoſpital in the middle department, and the ballots being taken,

The reverend Mr. Elihu Spencer was elected.

The board of war brought in a report; whereupon

Reſolved, That the governor and council of Maryland be informed that the artillery regiments in the ſervice of the United States have ſuffered ſo much in the late engagements that there are not a ſufficient number to do the duty of artillery men in the army, and therefore that the government of that ſtate be earneſtly requeſted to order the companies of matroſſes in the ſervice of the ſtate of Maryland, to join the army immediately and that the ſaid companies ſhall be ordered to return whenever the government of that ſtate ſhall require it.

Reſolved, That the reſult of the court of enquiry into the expedition of Staten Iſland, ſo honorable to the character of general Sullivan, is highly pleaſing to Congreſs, and that the opinion of the ſaid court be publiſhed in juſtification of the injured character of that officer.

Reſolved, That brigadier general R. Howe and brigadier General M'Dougal be promoted to the rank of major general in the army of the United States.

Reſolved, That Mr. William Maſſey be appointed deputy muſter maſter general to the continental troops raiſed or to be raiſed in the ſtate of South-Carolina and Georgia.

Ordered, That thoſe parts of Mr. preſident Rutledge's letter of Auguſt the 8th and the whole of the 11th of September, to the delegates of South-Carolina, relative to Indian affairs, be referred to the committee on Indian affairs:

That general R. Howe's letter of Auguſt the 29th laſt relating to the general hoſpital in South Carolina, be referred to the medical committee.

Congreſs taking into conſideration general R. Howe's letter of the 4th of September 1777, to the ſpeaker and aſſembly of the ſtate of Georgia, and another of the 28th of Auguſt to the preſident of Congreſs, in which he repreſents the danger of

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an Indian war being provoked by the wantonneſs and indiſcretion of ſeveral perſons in that ſtate,

Reſolved, That it be earneſtly recommended to the preſident and aſſembly of the ſtate of Georgia to uſe their utmoſt exertions to cultivate peace and harmony with the Indian nations; and to enable them to effect this ſalutary purpoſe, that they forthwith enact laws inflicting ſevere penalties on ſuch of their inhabitants as may endeavour to provoke a war which may endanger the ſtate of Georgia, and entail great injury and expence on the United States.

Reſolved, That Samuel Allen M'Croſky and George Stevenſon junior, be appointed firſt lieutenants; Andrew Colhoon and John M'Curdy ſecond lieutenants, and William Montgomery and David Holmes enſigns, in the two regular companies appointed to be raiſed on continental eſtabliſhment for the purpoſe of guarding the ſtores at Carliſle; and that commiſſions be filled up for them accordingly.

Ordered, That Mr. Heyward have leave of abſence to convey his family to South-Carolina.

The committee on foreign affairs laid before Congreſs a letter of 11th Auguſt from W. Lee at Nantes, which was read:

Ordered, That it be referred to the committee of commerce.

Four o'clock, P. M.

Adjourned to ten o'clock to-morrow.

TUESDAY, *October* 21, 1777.

A letter of the 18th from general Waſhington and one of the 16th from general Putnam at Fiſhkill, both enclоſing a copy of a letter of the 15th from governor Clinton at Kingſton, giving an account of a capitulation ſigned on the evening of the 14th for the ſurrender of general Burgoyne and his army; a letter of the 17th from general Sullivan at Metuchin Hills, with ſundry papers incloſed; one of the 19th from general Mifflin, incloſing a letter from colonel Lutterloe, giving an account of general Howe's retreat from Germantown; one of the 14th from governor Trumbull at Hartford; one of the 9th from colonel Maſon at Williamburg: and a meſſage from captain White Eyes; were read:

Ordered, That the meſſage from captain White-Eyes be referred to the committee on Indian affairs. *Reſolved*,

Reſolved, That Jeſſe Brown, who hath been employed as an expreſs by his excellency governor Trumbull to the different departments and to and from Congreſs, and who hath proved himſelf faithful and alert in that buſineſs, ſubmit his account for paſt ſervices to the commiſſioners of accounts for the ſtate of Connecticut, and charge the ſame to the account of the United States; and that he be continued as an expreſs rider in the continental ſervice.

Reſolved, That the commiſſioners of the United States in France and Spain have full power to ſuperintend and direct the ſeveral agents and factors of the ſaid ſtates, employed in the kingdoms aforeſaid; to remove ſuch as they ſhall judge diſqualified for this office, and to appoint others in their room.

A motion being made for importing arms, ammunition, cloathing, &c.

Ordered, That it be referred to the board of war.

The board of treaſury brought in a report: whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of the board of war for 50,000 dollars, to be tranſmitted by them to Benjamin Harriſon junior, eſquire, deputy paymaſter general in the Southern department, who is to be accountable:

That a warrant iſſue on the treaſurer in the favour of colonel Jeremiah Duggan, to be paid to Mrs. Duggan, for the ſum of two hundred dollars, advanced on account of his pay as major commandant, he to be accountable:

That there be advanced to John Baynton eſquire, deputy paymaſter general at Pittſburgh, 10,000 dollars, for which he is to be accountable.

Congreſs reſumed the conſideration of the articles of confederation as reported by the committee of the whole: in debating the ſixth article, it was moved that inſtead of "no ſtate ſhall lay any impoſts or duties which may interfere with any ſtipulations in treaties hereafter entered into by the United States aſſembled, with any king, prince or ſtate," it ſhall run thus "no ſtate ſhall lay any impoſts or duties upon goods, wares or merchandize imported or exported by any foreign nation with whom the United States aſſembled ſhall enter into any commercial treaty, other than what ſhall be laid upon the inhabitants of ſuch ſtate; provided that any ſtate may totally prohibit the exportation or importation of any particular ſpecies of goods, wares or merchandize; and provided alſo,

alſo that if any foreign nation ſhall not allow the ſame privileges, exemptions or advantages to the people and veſſels of any ſtate trading in their ports as to their own people and veſſels, the ſaid ſtate may diſallow the like priviledges, exemptions and diſadvantages to thoſe foreigners:" after ſome debate thereon the conſideration thereof was poſtponed to the afternoon.

Four o'Clock, P. M.

The committee appointed to confer with the commiſſary general of purchaſes brought in a report:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

Congreſs reſumed the conſideration of the amendment moved this morning, and the queſtion being put,

The ſtates were eqally divided.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 22, 1777.

Ordered, That a warrant iſſue on the treaſurer for 4000 dollars in favour of George Roſs, eſquire, and company, owners of the Mary Ann Furnace, in part payment of cannon ball made by them for the uſe of the navy, agreeable to a contract with the navy board for the Middle department, which board is to be charged with the ſum, and the ſaid George Roſs and company to be accountable to them for the ſame.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the caſe of John More, a private in the 4th Virginia regiment, tried and condemned to be ſhot for deſertion, together with the proceedings of the court-martial, be referred to general Waſhington for his determination thereupon.

A petition from Daniel Shelly, a priſoner in the goal of Carliſle in the ſtate of Pennſylvania, and a copy of his examination were laid before Congreſs and read:

Ordered, That the ſame be referred to the executive council of Pennſylvania.

A letter from Daniel Clymer to Richard Bache reſpecting the confinement of Mr. William Franklin was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

A petition and memorial of Cumberland Dugan of Baltimore was read:

Ordered, That it be referred to the marine committee.

Congress took into consideration the report of the committee appointed to confer with the commissary general of purchases on the measures to be adopted by him for obtaining the necessary supplies of provisions for the ensuing year, together with a proposed alteration in the ration; whereupon

Resolved, That the commissary general of purchases be authorised and empowered to apply to the governor and council of safety of Connecticut, or to the board of war of the Massachusetts-Bay, or to empower the deputy commissary general of purchases for the Eastern district, to import or contract with persons, who shall import and supply on reasonable terms a sufficient quantity of salt for the army of the United States in the Middle district; that the masters of the vessels to be employed for this purpose be severally directed to deliver their cargoes of salt at such ports in the Middle or Southern districts as the commissary general shall think most convenient, and that he order cargoes of flour or grain, on the arrival of those vessels at the ports aforesaid, to be provided and shipped in them for the army in the Eastern district;

And the said governor and council of safety and board of war are severally requested to assist the commissary in accomplishing these purposes, and to grant or procure permits for exporting cargoes to purchase the salt.

And whereas there is an immediate demand for the article aforesaid in the Middle district;

Resolved, That the supreme executive authorities of the states of Massachusetts-Bay and Connecticut be respectively requested to assist the commissary general of purchases in procuring waggons or teams for removing 12000 bushels of salt from the Eastern to the Middle district, that the said commissary be directed to employ the waggons or teams procured in the Massachusetts-Bay to remove the salt from thence to Connecticut;—and those procured in the states last mentioned, in removing the salt from thence to such places on the North river as he shall judge most convenient; and the said commissary general is directed to procure waggons or teams in the Middle district and load them with flour to be delivered at the North river and sent by the teams bringing the

the ſalt from Connecticut to the magazines of the army in that ſtate; and that the waggons or teams from the middle diſtrict be employed to bring from the north river the ſalt to be depoſited there as aforeſaid:

That the commiſſary general of iſſues be directed to apply to general Waſhington for a certificate of the proviſions allowed for each ration drawn by the army, previous to the appointment of himſelf to the office aforeſaid, and to direct the ſeveral iſſuing commiſſaries under him to deliver proviſions to the army agreeably to the ſaid certificate, till the further orders of Congreſs, any reſolution of Congreſs to the contrary notwithſtanding; and that the commiſſary general of iſſues tranſmit to Congreſs by the earlieſt opportunity, a copy of the certificate which he ſhall receive from general Waſhington.

Reſolved, That the alteration propoſed by the commiſſary general of purchaſes in the ration at preſent ordered by Congreſs to be iſſued to the army, be tranſmitted to general Waſhington, and that he be deſired to communicate to Congreſs his ſentiments on this ſubject as ſoon as poſſible.

Ordered, That the committee who brought in the foregoing report prepare a plan for eſtabliſhing a board to ſuperintend the departments of the commiſſaries and quartermaſter general.

Four o'Clock, P. M.

Whereas reports injurious to the character of Colonel George Morgan, agent for Indian affairs at Fort Pitt, have prevailed, repreſenting him as unfriendly to the cauſe of America.

Reſolved, That a committee of three be appointed to enquire into the conduct of colonel Morgan; and that he be required forthwith to repair to Congreſs for that purpoſe; and that a proper perſon be appointed to perform the duties entruſted to colonel Morgan until the event of ſuch enquiry.

The members choſen, Mr. R. H. Lee, Mr. Roberdeau, and Mr Law.

Ordered, That to-morrow be aſſigned for appointing a proper perſon to perform the duties entruſted to colonel Morgan until the event of the enquiry ordered to be made into his conduct.

The committee on the treaſury brought in a report; whereupon

Ordered, That there be advanced to lieutenant colonel Levin Powel, for the uſe of part of the Virginia regiment commanded by colonel William Grayſon, now on their march to join the main army, 400 dollars, the ſaid colonel Grayſon to be accountable.

That there be advanced to major James Armſtrong Wilſon 520 dollars, to purchaſe blankets for the uſe of the two companies under his command ſtationed at Carliſle to guard the public ſtores depoſited there.

The board of treaſury report "that they have reaſon to think from the beſt information they can obtain that Mr. Robert Ritchie, one of the commiſſioners of claims, has not removed from the city of Philadelphia, and find that private concerns of Fitzſimmons, another of the commiſſioners, has prevented his neceſſary attendance to the buſineſs of the ſaid office;" whereupon

Reſolved, That two commiſſioners of claims be appointed to ſupply the places of the gentlemen aforeſaid.

Ordered, That to morrow be aſſigned for nominating the ſaid commiſſioners and alſo a commiſſioner for auditing and ſettling accounts in the Northern department in the room of Mr Robert Carter, who has reſigned

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *October* 23, 1777.

Application being made on behalf of doctor John Linn, who was appointed director of the hoſpital in the diſtrict of Quebec, as appears by brigadier general Wooſter's orders, dated Albany 30th September 1776, for a ſettlement of his accounts.

Ordered, That the ſettlement of his accounts be referred to the board of treaſury.

Congreſs took into conſideration a report of the marine committee of the 10th July laſt; whereupon

Reſolved, That the navy board for the Eaſtern department be empowered to ſuſpend any commander or other officer in the continental navy within their diſtrict, until the pleaſure of Congreſs ſhall be known, giving immediate notice thereof to the marine committee, with the cauſes of ſuch ſuſpenſion.

The committee of commerce, to whom the petition and memorial of Cumberland Dugan was referred, brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on the treaſurer for 5000 dollars in favour of the committee of commerce, to enable them to ſettle the claims of Cumberland Dugan, ſpecified in his petition and memorial referred to them; they to be accountable.

Congreſs reſumed the conſideration of the articles of confederation.

A motion was made to ſtrike out the word "hereafter," and to add to the paragraph under debate on Tueſday theſe words, "in purſuance of any treaties already propoſed by Congreſs to the courts of France or Spain:" and on the queſtion put,

Reſolved, in the affirmative.

On the paragraph reſtraining the ſeveral ſtates from granting commiſſions to veſſels of war, or letters of marque and repriſal, it was moved to add "unleſs ſuch ſtate be infeſted by pirates, in which caſe veſſels of war may be fitted out for that occaſion and kept ſo long as the danger ſhall continue, or until the United States in Congreſs aſſembled ſhall determine otherwiſe:"

On the queſtion put,

Reſolved in the affirmative.

On the article reſpecting the powers of Congreſs, a motion was made to add to the firſt paragraph "provided that no members of Congreſs ſhall be appointed a judge of any of the ſaid courts:"

Queſtion put,

Reſolved in the affirmative.

Another amendment was moved, after the word, "entering into treaties and alliances" to inſert "provided that no treaty of commerce ſhall be made whereby the legiſlative power of the reſpective ſtates ſhall be reſtrained from impoſing ſuch impoſts and duties on foreigners as their own people are ſubjected to, or from prohibiting the exportation or importation of any ſpecies of goods or commodities whatſoever:"

After debate, the farther conſideration thereof was poſtponed to the afternoon.

Four o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mrs. Fullerton for 160 dollars, being for the payment

ment of her husband Humphrey Fullerton's draft, dated Long Island the 1st of May last, on the paymaster of the flying camp for sixty pounds, on account of his pay as surgeon to colonel Swope's Pennsylvania battalion of the flying camp, he being taken prisoner at fort Washington, and yet remaining so; he to be accountable.

Congress resumed the consideration of the paragraph in the confederation under debate this morning, which being divided, and the question being put on the first part as far as the disjunctive, "or"—

New-Hampshire,	Mr Folsom,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Lovell,	*ay*	
Rhode Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law.	*no*	
	Mr. Williams,		
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
New Jersey,	Mr. Witherspoon	*no*	*divided.*
	Mr Elmer,	*ay*	
Pennsylvania,	Mr. Morris,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
Maryland,	Mr. Smith,	*ay*	*
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South Carolina,	Mr. Heyward,	*ay*	*divided*
	Mr. Laurens,	*no*	

So it was resolved in the affirmative.

The question was then put on the second part, and resolved in the affirmative.

Resolved, That the farther consideration of the article be postponed till to morrow.

The marine committee brought in a report; whereupon

Ordered, That a warrant issue on Nathaniel Appleton, esquire, commissioner of the loan office in the state of Massachusetts-Bay, for 50,000 dollars, in favour of the navy board for the Eastern department, for the service of

of the navy under their direction; they to be accountable:

That a warrant iſſue on Joſeph Clark commiſſioner of the continental loan-office in the ſtate of Rhode-Iſland, for fifty thouſand dollars in favor of the navy board, for the Eaſtern department, for the ſervice of the navy under their direction; they to be accountable.

That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the loan office in the ſtate of Maſſachuſetts Bay, for 3180 1-2 dollars, in favour of Iſaac Smith, Ebenezer Storer and William Philips, eſquires, agents apppointed by the marine committee for ſettling the accounts of the prizes taken by the veſſels fitted out by order of general Waſhington, to pay off a balance which the ſaid agents certify to be due to captain Winthrop Sargent on his account.

Reſolved, That any two being a majority of the navy board for the Eaſtern department, in the abſence of the other, be and they are hereby empowered to do and tranſact all and every matter and thing, which by the conſtitution of the ſaid board, all the members jointly were empowered to do.

Reſolved, That the clerk of the navy board for the Eaſtern department, inſtead of the ſalary heretofore ordered, be allowed 55 dollars a month, and that the ſaid navy board be and they are hereby empowered to appoint one other clerk if they ſhall judge it abſolutely neceſſary and to allow him ſuch ſalary as they ſhall judge adequate to his ſervices not exceeding 55 dollars a month.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *October* 24, 1777.

A letter of the 21ſt from general Waſhington at White-Marſh was read:

Ordered, That an extract thereof, ſo far as relates to the recruiting ſervice and taking up deſerters, be ſent to the executive powers of each ſtate.

A memorial from Jonathan Trumbull junior, deputy paymaſter general in the Northern department, was read:

Ordered, That it be referred to the board of treaſury.

A memorial from monſ. de Crenis was read, praying to be appointed a lieutenant colonel of cavalry.

Ordered, That it be referred to the committee on foreign applications

Congreſs

Congreſs reſumed the conſideration of the article of confederation reſpecting the powers of Congreſs, and after ſome time the farther conſideration thereof was poſtponed.

Ordered, That a warrant iſſue on the treaſurer for 500 dollars in favour of doctor William Shippen, director general of the hoſpital, which is to be charged to the ſaid doctor Shippen, and for which he is to be accountable; this being to indemnify the treaſurer for ſo much advanced by him to the ſaid doctor Shippen on account of the military hoſpital, as appears by his receipt dated 15th October 1777.

The preſident informed Congreſs that, with the advice of the marine committee, he had on the 7th January laſt, iſſued a warrant on the treaſurer for 3000 dollars in favour of James Morris, eſquire, for two months pay to the ſeamen who retook the brig Lexington, as a gratuity, and alſo for two months pay on account of wages due to the ſeamen of the Lexington, Mr. Morris to be accountable; with an order to the treaſurer to omit charging this in the public books, 'till the books of the marine committee arrived, when the money would be properly charged; whereupon

Ordered, That the warrant be entered and the money charged by the treaſurer in the public books.

A letter of the 19th from brigadier general Conway was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the article of confederation relative to the powers of Congreſs, and after ſome time ſpent thereon, adjourned to ten o'clock to morrow.

SATURDAY, *October* 25, 1777.

The committee on the treaſury reported, that they have audited the accounts of Mr preſident Hancock, for expenditures by him for the uſe of Congreſs, and there is due to him on balance of accounts 1392 32-90 dollars; whereupon

Ordered, That the treaſurer pay the ſaid balance to the preſident on a copy of this report being preſented to him, certified by the ſecretary of Congreſs.

The ſaid committee brought in a farther report; whereupon

Ordered, That there be advanced to Simon Hancock, captain of a company in colonel Joſias Clapham's battali-

on

on of Virginia militia, 50 dollars, the ſaid colonel Clapham to be accountable.

That a warrant iſſue on John Gibſon, eſquire, auditor general in favour of Archibald M'Donnel, for the ſum of 260 dollars, it being for the allowance due to himſelf, Allan, Reynold, Allan junior and Alexander M'Donnel, and their three ſervants, priſoners from Tryon county in the ſtate of New-York, from the 27th Auguſt to 19th November incluſive.

The committee on Indian affairs brought in a report; whereupon

Reſolved, That the application of Abraham Nimham and his companions, in behalf of the Stockbridge Indians to be employed in the ſervice of the United States, be referred to major general Gates, to whoſe army they are requeſted to repair.

Ordered, That 200 dollars be paid to the ſaid Abraham Nimham for the uſe of himſelf and his companions, and as an acknowledgment for their zeal in the cauſe of the United States.

A letter from W. Stockton and others, priſoners in Carliſle gaol, and a letter of the 22d from the committee of Carliſle, with one incloſed from doctor John Kearſly, were read, repreſenting the uncomfortableneſs of the gaol on account of the windows not being glazed; whereupon

Reſolved, That the preſident write to the committee of Carliſle, and requeſt them to apply to the commiſſioners of the county and deſire them to have the gaol made as comfortable as circumſtances will admit for the accommodation of priſoners

Congreſs reſumed the conſideration of the article of confederation reſpecting the powers of Congreſs; whereupon

It was moved to ſtrike out "coining money and regulating the value thereof" and inſert "regulating the alloy and value of coin ſtruck by their own authority or by that of the reſpective ſtates:" and the queſtion being put,

Reſolved in the affirmative.

Reſolved, That the farther conſideration of the articles of confederation be poſtponed to Monday next.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *October* 27, 1777.

The committee appointed to conſider the letter from the honorable Stephen Hopkins and the proceedings of the committees from New-Hampſhire, Maſſachuſetts Bay, Rhode-Iſland and Providence Plantations, Connecticut and New-York, and for other purpoſes mentioned in a reſolution of Congreſs of the 10th September laſt, brought in a report which was read:

Ordered, to lie on the table.

A letter of the 24th from general Waſhington, incloſing the copy of a letter of the 23d from commodore Hazlewood; one from Samuel Ward, and one from Robert Ballard, both of the ſame date, at Red-Bank; were read:

Ordered, That the ſame be referred to the committee of intelligence.

Congreſs reſumed the conſideration of the article of confederation reſpecting the powers of Congreſs; whereupon it was moved to ſtrike out theſe words "deciding all diſputes and differences now ſubſiſting or that hereafter may ariſe between two or more ſtates concerning boundaries, juriſdictions or any other cauſe whatever," and inſtead thereof to inſert "the United States in Congreſs aſſembled ſhall alſo be the laſt reſort on appeal in all diſputes and differences now ſubſiſting or that hereafter may ariſe between two or more ſtates concerning boundary, juriſdiction, or any other cauſe whatever: which authority ſhall always be exerciſed in the manner following; whenever the legiſlative or executive authority, or lawful agent of any ſtate in controverſy with another, ſhall preſent a petition to Congreſs ſtating the matter in queſtion and praying for a hearing, notice thereof ſhall be given by order of Congreſs to the legiſlative or executive authority of the other ſtate in controverſy, and a day aſſigned for the appearance of the parties by their lawful agents, who ſhall then be directed to appoint, by joint conſent, commiſſioners or judges to conſtitute a court for hearing and determining the matter in queſtion; but if they cannot agree, Congreſs ſhall name three perſons out of each of the United States, and from the liſt of ſuch perſons each party ſhall alternately ſtrike out one, the petitioners beginning, until the number ſhall be reduced to thirteen; and from that number not leſs than ſeven nor more than nine names, as Congreſs ſhall direct, ſhall in the preſence of Congreſs be drawn out by lot; and the

perſons

perſons, whoſe names ſhall be ſo drawn or any five of them ſhall be commiſſioners or judges to hear and finally determine the controverſy; ſo always as a major part of the judges who ſhall hear the cauſe ſhall agree in the determination:

And if either party ſhall neglect to attend at the day appointed without ſhewing reaſons, which Congreſs ſhall judge ſufficient, or being preſent ſhall refuſe to ſtrike, the ſecretary of Congreſs ſhall do it in behalf of ſuch party, and the judgment and ſentence of the court to be appointed in the manner before preſcribed ſhall be final and concluſive; and if any of the parties ſhall refuſe to ſubmit to the authority of ſuch court or to appear or defend their claim or cauſe, the court ſhall nevertheleſs proceed to pronounce ſentence or judgment, which ſhall in like manner be final and deciſive, the judgment or ſentence and other proceedings being in either caſe tranſmitted to Congreſs and lodged among the acts of Congreſs for the ſecurity of the parties concerned, provided that every commiſſioner before he ſits in judgment, ſhall take an oath to be adminiſtered by one of the judges of the ſupreme or ſuperior court of the ſtate, where the cauſe ſhall be tried, well and truly to hear and determine the matter in queſtion according to the beſt of his judgment, without favour, affection or hope of reward; provided alſo that no ſtate ſhall be deprived of territory for the benefit of the United States."

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,		
	Mr Law,	*no*	
	Mr. Williams,		
New-York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
New Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	M. Elmer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. R. H Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	

North Carolina,	Mr. Penn,	*ay*	*ay*
	Mr Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*divided.*
	Mr. Laurens,	*no*	

So it was resolved in the affirmative.

Four o'Clock, P. M.

Congress resumed the consideration of the article of confederation last under debate.

A motion was made to strike out the words "not members of any of the states," and instead thereof to insert "not residing within the limits of any of the United States:" another motion was made to amend the clause so as to read thus, "managing all affairs relative to war and peace with all Indians not members of any particular state, and regulating the trade with such nations and tribes as are not resident within such limits wherein a particular state claims, and actually exercises jurisdiction:" after debate

Resolved, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *October* 28, 1777.

Congress resumed the consideration of the articles of confederation, and after debating on the amendments moved yesterday, adjourned to four o'clock.

Four o'Clock, P. M.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of Robert Jewell, for maintaining prisoners in Philadelphia new gaol from the 19th of August to the 24th of September, for the salary due to him and his two assistants, for mending a pump, for candles, &c. 933 37-90 dollars.

A petition from Henry Watts and a memorial from chevalier Dorset were read:

Ordered That the former be referred to the board of war, and the latter to the committee on foreign applications.

Congress resumed the consideration of the articles of confederation, and instead of the two amendments proposed, it was moved to add to the clause these words, "provided that the legislative right of any state within its own limits be not infringed or violated;" and the question being put,

Resolved in the affirmative.

The

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *October* 29, 1777.

A petition from monsr. le Brun was read, praying "that the president would grant him a certificate to verify the death of the late monsr. Charles Tronson du Coudray, brigadier, colonel, and adjutant general of artillery in France, born in Rheims in the province of Champeigne, which happened the 15th day of September 1777, and representing that such a certificate is necessary for his family, and that he would wish to have it triple in order to send it to his brother by different ways."

Ordered, That the prayer of the petition be granted.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to; instead of "general officers" to read "all officers:" after "United States" to add "excepting regimental officers," "and commissioning all officers whatever."

Mr. president Hancock then took leave of Congress.

Four o'clock, P. M.

Resolved, That the secretary officiate as president until a new choice is made.

On motion ordered, that the secretary wait on the president and request him to furnish the house with a copy of the speech with which he took leave of Congress.

Congress resumed the consideration of the articles of confederation, and after some time spent thereon,

Adjourned to ten o'clock to-morrow.

THURSDAY, *October* 30, 1777.

The committee on the treasury brought in a report; whereupon

Ordered, That there be advanced to Stevens Thompson Mason, esquire, deputy commissary for the prisoners of war in Virginia, 2000 dollars for the maintenance of the said prisoners, and for which he is to be accountable; and that a copy of this order, signed by the secretary be a sufficient voucher to the treasurer to pay this sum.

The board of war brought in a report; whereupon

Resolved, That the government of the state of Connecticut be requested to permit the workmen at Salisbury iron works to cast mortars for continental use, of such callibres and in such numbers as shall be directed by brigadier general Knox, and that

that he be informed of this reſolution and deſired to write to governor Trumbull on the ſubject.

That a letter be written by the board of war to the government of the ſtate of New-York repreſenting in the ſtrongeſt terms the great want of lead and the abſolute neceſſity there is for providing ſeaſonable reſources of that article; that it be therefore earneſtly recommended to the ſaid governmenc forthwith to take meaſures for having the lead mines in that ſtate worked; and that in caſe a ſufficient number of labourers cannot be procured for that purpoſe, the commiſſary general of priſoners be directed to furniſh a competent number of priſoners of war for that end.

Reſolved, That William Feltman, ſecond lieutenant in captain Weaver's independent company, be advanced to the rank of firſt lieutenant.

That enſign Bachinſtone be promoted to the rank of ſecond lieutenant.

That Joſeph Bank be appointed an enſign in the ſaid company.

Congreſs reſumed the conſideration of the articles of confederation, when the following amendments were moved and agreed to, viz. ſtrike out "council of ſtate, &c." and read, "The United States in Congreſs aſſembled ſhall have authority to appoint a committee to ſit in the receſs of Congreſs, to be denominated *A Committee of the States*, and to conſiſt of one delegate from each ſtate, and to appoint ſuch other committees, &c.

In the next clauſe ſtrike out "and a ſuitable perſon for a ſecretary," and read "to appoint one of their number to preſide."

To change the words "agree on and fix" for the word "aſcertain," and to amend the clauſe to read thus, "to aſcertain the neceſſary ſums of money to be raiſed for the ſervice of the United States, and to appropriate and apply the ſame for defraying the public expences."

On the clauſe for adjournment to add, "ſo that no period of adjournment be for a longer duration than the ſpace of ſix months:"

In the clauſe for borrowing or emitting money to add "tranſmitting every half year to the reſpective ſtates an account of the ſums of money ſo borrowed or emitted."

To amend the clauſe for calling upon the ſtates for their quota of troops, ſo that each ſtate may "cloath" as well as arm, &c. its quota of troops:

It

It was then moved after the words "unleſs nine ſtates ſhall aſſent to the ſame," to inſert "provided that the nine ſtates ſo aſſenting ſhall comprehend a majority of the people of the United States, excluding Negroes and Indians, for which purpoſe a true account of the number of free people in each ſtate ſhall be triennially taken and tranſmitted to the Aſſembly of the United States."

New-Hampſhire,	Mr. Folſom,	no	no
Maſſachuſetts-Bay,	Mr. S. Adams,	ay	
	Mr. J. Adams,	no	
	Mr. Gerry,	no	no
	Mr Lovell,	no	
Rhode-Iſland,	Mr. Marchant,	no	no
Connecticut,	Mr. Dyer,	no	
	Mr. Law,	no	no
	Mr. Williams,	no	
New-York,	Mr. Duane,	no	no
	Mr. Duer.	no	
New-Jerſey,	Mr. Witherſpoon,	no	no
	Mr. Elmer,	no	
Pennſylvania,	Mr. Roberdeau,	no	no
Maryland	Mr. Smith,	ay	*
Virginia,	Mr. Jones,	ay	
	Mr. R. H. Lee,	ay	
	Mr. F. L. Lee,	ay	ay
	Mr. Harvie,	ay	
North-Carolina,	Mr. Penn,	no	no
	Mr. Harnett,	no	
South-Carolina	Mr. Heyward,	no	no
	Mr. Laurens,	no	

So it paſſed in the negative.

It was moved and agreed to amend the clauſe "no perſon holding any office under the United States, for which he or another for his benefit receives any ſalary, fees or emolument of any kind, ſhall be capable of being a delegate," and read "no perſon being a delegate ſhall be capable of holding any office under the United States, for which he or any other for his benefit receives any ſalary, fees or emolument of any kind."

On the clauſe for entering the yeas and nays it was moved after the words "on any queſtion" to inſert "except on a previous queſtion," and inſtead of "when it is deſired by any delegate," to read "when it is deſired by any ſtate:" and a queſtion being ſeverally put,

Paſſed in the negative.

The

The question was then put to agree to the clause.

New-Hampshire,	Mr. Folsom,	*ay*	*ay*
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,		*ay*
	Mr. Law,	*ay*	
	Mr. Williams,		
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
New Jersey,	Mr. Witherspoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennsylvania,	Mr Roberdeau,	*ay*	*ay*
Maryland,	Mr. Smith,	*ay*	*
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. F L Lee,	*no*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*divided*
	Mr. Laurens,	*no*	

So it was resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *October* 31, 1777.

A letter of the 18th from General Gates, with a copy of the convention of Saratoga, and another of the 20th inclosing the copy of a letter from him to major general J. Vaughan, were read.

Ordered, That the letters from general Gates, with the papers enclosed, be referred to the board of war, and that the committee of intelligence publish the convention.

Resolved, That a committee of three be appointed to prepare a recommendation to the several states, to set apart a day for thanksgiving for the signal success lately obtained over the enemies of these United States

The members chosen, Mr. S. Adams, Mr. R. H. Lee, and Mr. Roberdeau.

A letter from R. Towers to Mr. Roberdeau was laid before Congress and read.

Ordered,

Ordered, That it be referred to the board of war.

Ordered, That colonel Wilkinſon, who brought the diſpatches from general Gates, be directed to attend Congreſs.

Colonel Wilkinſon attending was admitted, and having informed Congreſs that he had ſundry papers to lay before Congreſs as ſoon as he could have time to digeſt and arrange them, and having anſwered ſundry queſtions relative to the ſituation of our army and that of the enemy before and at the time of and ſince the convention, he withdrew.

Ordered, That an expreſs be immediately diſpatched to general Waſhington, with a copy of general Gates's letter and the convention of Saratoga.

Four oclock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That there be paid to William Buchanan, eſquire, commiſſary general of purchaſes, 100,000 dollars for the uſe of his department, and for which he is to be accountable; and that a copy of this order, certified by the ſecretary and paſſed at the board of treaſury, be a ſufficient voucher for the payment of the ſaid money.

The ſecretary laid before Congreſs a copy of the ſpeech with which Mr. Hancock took leave of Congreſs, which was ordered to be entered on the journals and is as follows:

'Gentlemen, Friday laſt compleated two years and five months ſince you did me the honor of electing me to fill this chair. As I could never flatter myſelf your choice proceeded from any idea of my abilities, but rather from a partial opinion of my attachment to the liberties of America, I felt myſelf under the ſtrongeſt obligations to diſcharge the duties of the office, and I accepted the appointment with the firmeſt reſolution to go through the buſineſs annexed to it in the beſt manner I was able. Every argument conſpired to make me exert myſelf, and I endeavoured by induſtry and attention to make up for every other deficiency.

'As to my conduct both in and out of Congreſs in the execution of your buſineſs, it is improper for me to ſay any thing. You are the beſt judges. But I think I ſhall be forgiven if I ſay I have ſpared no pains, expence, or labour to gratify your wiſhes, and to accompliſh the views of Congreſs.

'My health being much impaired, I find ſome relaxation abſolutely neceſſary after ſuch conſtant application; I muſt therefore requeſt your indulgence for leave of abſence for two months. But

'But I cannot take my departure, gentlemen without expreſſing my thanks for the civility and politeneſs I have experienced from you. It is impoſſible to mention this without a heart felt pleaſure.

'If in the courſe of ſo long a period as I have had the honor to fill this chair, any expreſſions may have dropped from me that may have given the leaſt offence to any member, as it was not intentional, ſo I hope his candor will paſs it over.

'May every happineſs, gentlemen, attend you, both as members of this houſe and as individuals; and I pray Heaven that unanimity and perſeverance may go hand in hand in this houſe; and that every thing which may tend to diſtract or divide your councils be for ever baniſhed.'

It was then moved, "That the thanks of Congreſs be preſented to John Hancock, eſquire, for the unremitted attention and ſteady impartiality which he has manifeſted in diſcharge of the various duties of his office as preſident ſince his election to the chair on the 24th day of May 1775."

Previous to the determination of this motion, it was moved, 'to reſolve as the opinion of Congreſs, that it is improper to thank any preſident for the diſcharge of the duties of that office."

New Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New York,	Mr. Duane,	*no*	*no*
	Mr. Duer.	*no*	
New-Jerſey,	Mr. Elmer,		
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Maryland,	Mr. Smith,	*no*	*
Virginia,	Mr. Jones,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Heyward,	*no*	*divided*
	Mr. Laurens,	*ay*	

So the ſtates were equally divided. The

The question being put on the first motion,—

New-Hampshire,	Mr. Folsom,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
New Jersey,	Mr. Elmer,	*ay*	*ay*
Pennsylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Smith,	*ay*	*
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Heyward,	*ay*	*ay*
	Mr. Laurens,	*ay*	

So it was resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *November* 1, 1777.

Mr. Clingan, a delegate from Pennsylvania, attended and took his seat.

Congress proceeded to the election of a president; and the ballots being taken,

The honorable Henry Laurens was elected.

The committee appointed to prepare a recommendation to the several states to set apart a day of public thanksgiving, brought in a report; which was taken into consideration and agreed to, as follows:

Forasmuch as it is the indispensible duty of all men to adore the superintending providence of almighty God; to acknowledge with gratitude their obligation to him for benefits received, and to implore such farther blessings as they stand in need of; and it having pleased him in his abundant mercy not only to continue to us the innumerable bounties of his common providence, but also smile upon as in the prosecution of a just and necessary war, for the defence and establishment of our

unalienable rights and liberties: particularly in that he hath been pleased in so great a measure to prosper the means used for the support of our troops and to crown our arms with most signal success: it is therefore recommended to the legislative or executive powers of these United States to set apart Thursday the 18th day of December next for solemn thanksgiving and praise; that with one heart and one voice the good people may express the grateful feelings of their hearts, and consecrate themselves to the service of their divine benefactor; and that together with their sincere acknowledgments and offerings, they may join the penitent confession of their manifold sins, whereby they had forfeited every favor; and their humble and earnest supplication that it may please God through the merits of Jesus Christ, mercifully to forgive and blot them out of remembrance; that it may please him graciously to afford his blessings on the governments of these states respectively, and prosper the public council of the whole; to inspire our commanders both by land and sea and all under them with that wisdom and fortitude which may render them fit instruments, under the providence of almighty God, to secure for these United States the greatest of all blessings, independence and peace; that it may please him to prosper the trade and manufactures of the people and the labor of the husbandman, that our land may yield its increase; to take schools and seminaries of education, so necessary for cultivating the principles of true liberty, virtue and piety, under his nurturing hand, and to prosper the means of religion for the promotion and enlargement of that kingdom which consisteth in righteousness, peace and joy in the Holy Ghost.

And it is further recommended that servile labour and such recreation as, though at other times innocent, may be unbecoming the purpose of this appointment, be omitted on so solemn an occasion.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *November* 3, 1777.

A letter of the 24th of October from R. Sache; one of the 20th of the same month from governor Trumbull, inclosing a resolution passed in the house of assembly of Connecticut the 11th of the same month; one of the 25th from general Sullivan, with sundry papers inclosed were read:

Ordered, That the president return an answer to major general Sullivan, and inclose him a copy of the resolution passed the 20th of October last: That

That the letter from governor Trumbull, with the papers inclosed, be referred to the committee appointed to confer with the commissary general of purchases, and that they be directed to confer farther with him on the subject and report this afternoon:

That the letter from Mr. Bache be referred to the board of treasury.

Ordered, That colonel Wilkinson be admitted to lay before Congress this afternoon the papers relative to the affairs in the Northern department.

Four o'Clock, P. M.

According to order colonel Wilkinson attended and delivered a message from General Gates in the following words;

"I have it in charge from major general Gates to represent to the honorable the Congress, that lieutenant general Burgoyne at the time he capitulated was strongly entrenched on a formidable post with twelve days provision; that the reduction of fort Montgomery and the enemy's consequent progress up the Hudson's river endangered our arsenal at Albany, a reflection which left general Gates no time to contest the capitulation with lieutenant general Burgoyne, but induced the necessity of immediately closing with his propofals, hazarding a disadvantageous attack or retiring from his position for the security of our magazine: this delicate situation abridged our conquests, and procured lieutenant general Burgoyne the terms he enjoys. Had our attack been carried against lieutenant general Burgoyne, the dismemberment of our army must necessarily have been such as would have incapacitated it from further action. With an army in health, vigour and spirits, major general Gates now waits the commands of the honorable Congress."

Colonel Wilkinson then laid before Congress sundry original papers relative to the convention, which were read, viz.

1. A message from lieutenant general Burgoyne to major general Gates, with general Gates's answer of the 13th of October 1777:

2. A message from lieutenant general Burgoyne to major general Gates the 14th of October:

3. Another message accomanying the former:

4. General Gates's propofals to lieutenant general Burgoyne, with general Burgoyne's answer:

5. A message from lieutenant general Burgoyne to general Gates;

6. General

6. General Burgoyne's propofals and general Gates's anſwer:
7. Meſſage from general Burgoyne to general Gates October the 15th:
8. Another meſſage from general Burgoyne to general Gates October the 16th:
9. Meſſage from general Gates to general Burgoyne:
10. Return of general Burgoyne's army which ſurrendered:
11. Return of ordnance, &c. taken and ſurrendered:
12. Articles of convention:
13. General Gates's explanation to include general Burgoyne in the convention:

After which colonel Wilkinſon withdrew.

The committee to whom was referred the letter from governor Trumbull, with the incloſed reſolution of the general aſſembly of Connecticut, brought in a report, which was read and conſidered; whereupon

Reſolved, That a copy of the reſolutions of Congreſs of the 4th of October laſt, relative to the department of the purchaſing and iſſuing commiſſaries, be forthwith tranſmitted by expreſs to the governor and council of ſafety of Connecticut, who are authoriſed and requeſted to appoint a deputy commiſſary general of purchaſes and a deputy commiſſary general of iſſues for the Eaſtern diſtrict, provided the appointments of Congreſs to the reſpective offices aforeſaid are not accepted, and general Putnam has not made ſuch appointments, agreeable to the powers given him by the reſolution laſt mentioned, or that the officers ſo appointed ſhould appear to the ſaid governor and council incompetent to the buſineſs:

That a copy of the preceding reſolution be tranſmitted by the expreſs aforeſaid to major general Putnam, who is directed to inform his excellency governor Trumbull of his conduct relative to the premiſes, and to direct the officers who may have accepted the appointments aforeſaid forthwith to apply to the governor and council of ſafety for inſtructions, and that general Putnam ceaſe to proceed further in the buſineſs aforeſaid:

That a duplicate warrant for 200,000 dollars on the loan-office in the ſtate of New-York be iſſued by the preſident in favor of William Buchanan, eſquire, commiſſary general of purchaſes, to ſerve, in caſe a warrant of the 10th October laſt, drawn for the ſame ſum in favor of him on loan-office aforeſaid, by the honorable John Hancock eſquire, late preſident of Congreſs, in purſuance of a reſolve

of

of Congress of the said 10th day of October, should have miscarried; and that the commissary general of purchases be directed to transmit the same to the governor and council of Connecticut for the deputy commissary general of purchases of the eastern district:

That the governor and council aforesaid be requested to afford such assistance to the officers in the purchasing and issuing departments of the eastern district as shall be requisite for obtaining the necessary supplies of provisions for the army and furnishing them therewith, and that they be farther requested to advance such supplies of money as may be immediately wanted by the deputy commissary general of purchases aforesaid and take his order for the same on the commissary general of purchases.

A motion being made for directing the future operations of general Gates.

Ordered, That it be referred to a committee of three.

The members chosen, Mr. R. H. Lee, Mr. J. Adams, and Mr. Gerry.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *November* 4, 1777.

The marine committee brought in a report, which was read:

Ordered, That it be referred to the board of treasury.

The committee on the treasury brought in a report, whereupon

Ordered, That a warrant issue in favour of Thomas White for five hundred dollars, in discharge of the following draughts of John Ashe, treasurer of North-Carolina, on the continental treasurer, in favour of the said T. White, expressed to be for the service of the United States, for which the said state is to be accountable, and which is to be considered as part of the 500,000 dollars heretofore appropriated for the use of the said state, viz. one dated the 9th of May for 100 dollars, one dated the 10th of May for 100 dollars, and one dated the 11th of May for 300 dollars.

Ordered, That a warrant issue in favour of Robert Morris, esquire, for 12221 30-90 dollars, being for the payment of ninety-five barrels of powder and one hundred muskets purchased of him by the order of the board of war and ordnance.

That

That a warrant iſſue in favour of R. Bache, eſquire, poſtmaſter general, to be paid to James Bryſon, one of the ſurveyors of the poſt-office, for 3000 dollars, for the uſe of the poſtmaſter general's department, who is to be accountable.

That a warrant iſſue for 200 dollars in favour of colonel Joſias Carvill Hall, to be paid to captain John Sulman, of his regiment, for the uſe of a party under his command, the ſaid colonel Hall to be accountable.

A letter of the 25th of October from colonel Sheldon, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the board of war.

Reſolved, That his excellency governor Caſwell of North-Carolina, be requeſted to erect a monument of the value of five hundred dollars, at the expence of the United States, in honor of the memory of brigadier general Francis Naſh, who fell in the battle of Germantown on the 4th of October 1777, bravely contending for the independence of his country.

Reſolved, That the thanks of Congreſs in their own name, and in behalf of the inhabitants of the thirteen United States, be preſented to major general Gates, commander in chief in the Northern department, and to majors general Lincoln and Arnold and the reſt of the officers and troops under his command, for their brave and ſucceſsful efforts in ſupport of the independence of their country, whereby an army of the enemy of ten thouſand men has been totally defeated, one large detachment of it, ſtrongly poſted and entrenched, having been conquered at Bennington, another repulſed with loſs and diſgrace from fort Schuyler, and the main army of ſix thouſand men, under lieutenant general Burgoyne, after being beaten in different actions and driven from a formidable poſt and ſtrong intrenchments, reduced to the neceſſity of ſurrendering themſelves upon terms honorable and advantageous to theſe ſtates on the 17th day of October laſt, to major general Gates; and that a medal of gold be ſtruck under the direction of the board of war in commemoration of this great event, and in the name of theſe United States preſented by the preſident to major general Gates.

Reſolved, That Congreſs have an high ſenſe of the merit

rit of colonel Green and the officers and men under his command in their late gallant defence of the fort at Red Bank on Delaware river; and that an elegant ſword be provided by the board of war and preſented to colonel Green.

Reſolved, That Congreſs have an high ſenſe of the merit of lieutenant colonel Smith and the officers and men under his command, in their late gallant defence of fort Mifflin on the river Delaware; and that an elegant ſword be provided by the board of war and preſented to lieutenant colonel Smith.

Reſolved, That Congreſs have an high ſenſe of the merit of commodore Hazlewood, commander of the naval force in Delaware river, in the ſervice of the commonwealth of Pennſylvania, and of the officers and men under his command, in their late gallant defence of their country againſt the Britiſh fleet, whereby two of their men of war were deſtroyed and four others compelled to retire; and that an elegant ſword be provided by the marine committee and preſented to commodore Hazlewood.

Four o'Clock, P. M.

The proceedings of a general court martial, held at German Flats on the 20th of Auguſt 1777, by order of major general Arnold, on the trial of Walter Butler, an enſign in the King's or 8th regiment, being tranſmitted to Congreſs;

Ordered, That it be referred to the board of war.

The committee to whom was referred the motion for directing the future operations of the army under the command of major general Gates, brought in a report, which was taken into conſideration, and after debate

Reſolved, That it be re-committed, and that Mr. Duer be added to the committee.

A letter of the 3d from the preſident of the council of Pennſylvania was read:

Ordered, That it be referred to the board of war.

The marine committee reported, "That they have received a letter from the navy board at Bordenton, dated the 27th of October laſt, informing them of orders given by general Waſhington to ſcuttle the frigates in the river Delaware in order to prevent their falling into the hands of the enemy; and that having taken the ſame into conſideration they are of opinion that the frigates ſhould be lightened

ened as much as poſſible, and either run into ſome adjacent creek or hauled as high upon ſhore as may be without ballaſt, and a battery conſtructed with the guns of the Waſhington on the moſt convenient ground to cover the frigates from the enemy; that the frigates ſhould be charged properly with combuſtibles, and a careful watch employed under a vigilant officer to burn them rather than ſuffer them to fall into the hands of the enemy; and leſt this ſhould fail, that a ſufficient number of ſmall craft ſhould be ſunk in the channel below the frigates, effectually to obſtruct the enemy from moving them down the river if they ſhould happen to gain poſſeſſion of them; and a battery be conſtructed in the moſt convenient manner to cover the obſtructions and prevent the enemy from removing them; that all the veſſels, of whatever kind, ſhould be run up as high above the batteries and obſtructions aforeſaid as poſſible, and the moſt effectual precautions taken immediately on the approach of the enemy:" whereupon

Ordered, That a copy of the ſaid report be ſent to general Waſhington for his approbation, and if he approve the ſame that a detachment of troops be ſent to aſſiſt in conſtructing and managing the batteries aforeſaid.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow,

WEDNESDAY, *November* 5, 1777.

A letter from monſ. de la Balme was read:

Ordered, That it be referred to the board of treaſury.

The board of war brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed:

The committee to whom was re-committed the report for directing the future operations of the army under the command of general Gates, brought in a report, which was taken into conſideration, and thereupon

Reſolved, That general Waſhington be informed that it is the earneſt wiſh of Congreſs to regain the poſſeſſion of the forts and paſſes of Hudſon's river, and to ſecure the communication thereof; and for that purpoſe, that general Gates ſhould remain in command in that quarter; and that general Putnam be called upon to join the main army with ſuch a detachment from the army under the command of general Gates as general Waſhington may think can be ſpared, not exceeding the number of 2500 men including colonel Morgan's corps

That

That a copy of the foregoing reſolution be ſent to general Gates, and that he be directed to make a proper diſpoſition of the army under his command for reducing forthwith the poſts of the enemy on Hudſon's river, and that he order ſuch of the continental troops and militia in the ſervice of the United States as are poſted on or near the ſaid river to join him for the ſervice aforementioned:

That general Gates be impowered to apply to the reſpective ſtates of Maſſachuſetts-Bay, Connecticut New York and New Jerſey, for ſuch a number of their militia as he ſhall judge neceſſary to maintain the poſts which he ſhall order to be taken on the ſaid river, to the end that his army may be in readineſs to purſue ſuch operations as Congreſs ſhall direct; and that the ſaid militia be inliſted to ſerve until the 15th day of March next unleſs ſooner diſcharged by Congreſs or the commander in chief:

That general Waſhington be directed to order one or more able engineers to Hudſon's river, to attend the army under the command of general Gates:

That general Gates be impowered to order ſuch a number of gallies, gun-boats, fire-rafts, chains, caſſoons, and chevaux de frize to be provided, and ſuch fortifications to be erected, for obſtructing and keeping poſſeſſion of the North-river, as he ſhall judge neceſſary:

That the governor and council of the ſtate of New-York be furniſhed with a copy of theſe reſolutions, and requeſted to appoint a committee of three active judicious perſons to aſſiſt general Gates in obtaining ſuch artificers and materials for accompliſhing theſe purpoſes as he ſhall direct; and the ſaid committee are impowered to apply to the ſeveral ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode Iſland Connecticut, New-York and New-Jerſey, for their aſſiſtance, who are requeſted to afford the ſame by furniſhing the ſaid committee with ſuch artificers and materials as they by direction of general Gates ſhall apply for; and the ſaid ſtates are reſpectively requeſted to furniſh ſuch a number of men as general Gates ſhall require to accompliſh the important and ſalutary purpoſe of maintaining the communication between the Northern and Southern ſtates by keeping poſſeſſion of Hudſon's river:

That general Gates be authoriſed and directed to apply to the ſtate of New-York and the ſtates eaſtward of the North river for ſuch aids as he ſhall judge neceſſary for the reduction

of Ticonderoga and fort Independence, if not reduced by general Starks, at such time as he shall deem best adapted for that expedition; and that the said states be requested to supply general Gates with such a number of their militia as he shall judge necessary for the purposes intended:

That general Gates be directed to take effectual care that the fortifications which shall be erected on Hudson's river be not too extensive, and that each be compleated with a well, magazines, barracks, bomb casements, &c. sufficient for a determined defence:

That if general Washington, after consulting with general Gates and governor Clinton, shall be of opinion that a reinforcement exceeding the number above mentioned can be detached to the main army consistent with the attainment of the objects specified in the preceding resolutions, in such case he be directed to order such further reinforcements to the main army as may be thought conducive to the general welfare, any thing in the preceding resolutions to the contrary notwithstanding.

In debating the last resolution it was moved after "directed" to insert "with their concurrence,"

New Hampshire,	Mr. Folsom,	*no*	*no*
Massachusetts-Bay,	Mr S. Adams,	*ay*	*ay*
	Mr. J Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr Lovell,	*no*	
Rhode-Island,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New-York,	Mr. Duane,	*no*	*no*
	Mr Duer.	*no*	
New-Jersey,	Mr. Elmer,	*no*	*no*
Pennsylvania,	Mr. Morris,	*no*	*no*
	Mr. Roberdeau,	*no*	
	Mr. Clingan,	*no*	
Maryland	Mr. Smith,	*no*	*no*
	Mr. Rumsey,	*no*	
Virginia,	Mr. Jones,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina	Mr. Laurens,	*no*	*no*

So

So it paſſed in the negative.

The yeas and nays beingrequired on the reſolution,

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*divided.*
	Mr. J. Adams,	*ay*	
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connnecticut,	Mr. Dyer,	*no*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer.	*ay*	
New Jerſey,	Mr. Elmer,	*ay*	*ay*
Pennſylvania,	Mr. Morris,	*ay*	*ay*
	Mr Roberdeau,	*no*	
	Mr. Clingan,	*ay*	
Maryland,	Mr. Smith,	*ay*	*ay*
	Mr. Rumſey,	*ay*	
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*

So it was reſolved in the affirmative.

The board of treaſury brought in a report, whereupon

Ordered, That there be paid to John Conner, late a fifer in the invalid regiment, 14 60-90 dollars, for two months pay due to him before his being diſcharged, as per colonel Lewis Nicola's certificate, the ſaid ſum to be charged to the colonel:

That a warrant iſſue on the treaſurer in favor of W. Buchanan, eſquire, commiſſary general of purchaſes, for 52,000 dollars, for the uſe of his department, he to be accountable.

That a warrant iſſue on the treaſurer in favor of Belcher P. Smith, for 205 48 90 dollars, being for his ſervices as a clerk in the ſecretary's office from the 1ſt of July to the 5th of November, and for ſundry contingent expences:

That a warrant iſſue on Joſeph Borden, eſquire, commiſſioner of the continental loan office in the ſtate of New-Jerſey, in favor of the continental navy board, for

40,000

40000 dollars, for the uſe of the navy department, the ſaid board to be accountable.

That a warrant iſſue in favour of the delegates of North-Carolina for the uſe of that ſtate, for 1000 dollars, it being advanced on the application of C. Harnett, eſquire, the ſaid ſtate to be accountable, and the money to be conſidered as part of the 500,000 dollars appropriated for the uſe of that ſtate:

That a warrant iſſue in favour of Abraham Clark, eſquire, to be delivered to Mr. Elmer, for 205 30-90 dollars, it being the amount of eleven barrels of pork he paid for in New-Jerſey, which were delivered to captain Francis Wade, who was directed to purchaſe proviſions in that ſtate, the ſaid F. Wade to be accountable.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *November* 6, 1777.

A letter of the 1ſt, continued to the 3d, from general Waſhington, with ſundry papers incloſed, was read:

Ordered, That the recommendation in favour of monſ. de Vrigny, being one of the papers incloſed in the general's letter, be referred to the committee on foreign applications:

That the general's letter, with the other papers incloſed, be referred to the board of war.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That colonel James Wilkinſon, adjutant general in the Northern army, in conſideration of his ſervices in that department, and being ſtrongly recommended by general Gates as a gallant officer and a promiſing military genius, and having brought the diſpatches to Congreſs, giving an account of the ſurrender of lieutenant general Burgoyne and his army on the 17th day of October laſt, be continued in his preſent employment, with a brevet of brigadier general in the army of the United States.

Reſolved, That the unremitted attention ſhewn by doctor Potts and the officers of the general hoſpital in the Northern department, as repreſented in general Gates's letter to Congreſs of the 20th of October, to the ſick and wounded under their care, is a proof not only of their humanity but of their zeal for the ſervice of the United States,

States. ſo deeply intereſted in the preſervation of the health and lives of the gallant aſſerters of their country's cauſe; and that Congreſs therefore cannot but entertain a high ſenſe of the ſervices which they have rendered during this campaign by a diligent diſcharge of their reſpective functions.

Congreſs took into conſideration a report of the board of war of July the 2nd and after ſome debate thereon

Ordered, That it be re-committed.

Congreſs being informed that the commiſſary general of iſſues has not aſſigned diſtricts to his ſeveral deputies, agreeably to the regulations of his department,

Reſolved, That the ſaid commiſſary general of iſſues be directed to make forthwith ſuch aſſignments, and communicate the ſame to the governor and council of the ſtate of Connecticut, and his reſpective deputies.

A motion being made reſpecting the convention of Saratoga,

Ordered, That it be referred to a committee of four;

The members choſen Mr. J. Adams, Mr. Duane, Mr. Jones and Mr. R. H. Lee.

Four o'Clock, P. M.

A letter of the 25th of October from the council of Maſſachuſetts-Bay, and one of the ſame date from general Heath, were read:

Ordered, That the letter from general Heath be referred to the committee on the motion reſpecting the convention of Saratoga, and that the letter from the council of Maſſachuſetts Bay be referred to the board of war.

The commitee on the treaſury brought in a report, which was read:

Ordered, That it be re-committed.

Congreſs took into conſideration the report of the board of war brought in yeſterday; whereupon

Reſolved That general Waſhington be directed immediately to ſettle the relative ranks of the officers of the cavalry, and to iſſue their commiſſions accordingly, and that he be furniſhed with copies of the ſeveral reſolutions of Congreſs on that ſubject.

Ordered, That the articles of confederation be taken into conſideration to morrow.

The committee on the treaſury brought in a report where upon

Ordered,

Ordered, That there be advanced to captain James O'Harra 2000 dollars agreeable to the requeſt of the board of war, for the purchaſe of ſhoes, hats and blankets for the uſe of the independent companies at fort Pitt, under the command of brigadier general Hand, who is to be charged with the money advanced:

That a warrant iſſue in favour of colonel William Beatty, for the uſe of a battalion of militia under his command from Frederick county, Maryland, for 1000 dollars, the ſaid colonel Beatty to be accountable:

That there be paid to Jacob Gotwalt and Simon Keeppenhover, 60 72-90 dollars, for their expences as an eſcort to Britiſh priſoners from Yorktown to Brunſwick in New-Jerſey by direction of the board of war laſt winter.

That there be paid to Jacob Ruſh, eſquire, 40 dollars, which he advanced by direction of Mr. Hancock to Lavellin Barry, a continental expreſs rider, the ſaid L. Barry to be charged with the ſaid ſum.

That there be advanced to adjutant Thomas Taylor of the Georgia battalion commanded by colonel J. White, 200 dollars, to enable him to bring in deſerters of the ſaid regiment, the ſaid ſum to be charged to the ſtate of Georgia and to be conſidered as a part of the 300,000 dollars appropriated for the uſe of that ſtate.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *November* 7, 1777.

Ordered, That a duplicate of the recommendation to the ſeveral ſtates to ſet apart a day of thankſgiving, ſigned by the preſident, be ſent to the ſeveral ſtates, and to general Waſhington and general Gates.

Congreſs reſumed the conſideration of the report of the board of treaſury; whereupon

Reſolved, That one million of dollars be emitted under the direction of the treaſury board and on the faith of the United States

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 15th of Auguſt laſt, and be numbered from the laſt number of each reſpective denomination, viz.

15384 bills of the denomination of	3 dollars,	46152
15384 ditto - - -	4 ditto,	61536

15384

15384 ditto	5 ditto,	76920
15384 ditto	6 ditto,	92304
15384 ditto	7 ditto,	107688
15385 ditto	2 ditto,	30770
15385 ditto	8 ditto,	123080
15385 ditto	30 ditto,	461550
		1000000

That all powers and duties of Michael Hillgas, esquire, and of the inspectors of the press, signers and printers of the said emission, directed on August the 15th shall extend to the said one million to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

Whereas major general Mifflin, by his letter of October the 8th last has requested leave to resign his commission of major general and office of quartermaster general in the army, on account of his ill state of health:

Resolved, That his resignation of the office of quarterter master general be accepted. but that his rank and commission of major general be continued to him, without the pay annexed to that office, until farther order of Congress.

Congress proceeded to the election of a board of war, and the ballots being taken.

Major general Mifflin, colonel Timothy Pickering, and colonel Robert H Harrison were elected.

Ordered, That the president inform the several gentlemen of their appointment, and desire their attendance with all convenient dispatch.

A memorial from John Richards in behalf of himself, James Taylor and company, and Hall and Horner, was laid before Congress and read.

Congress being informed that Mr. Houston has declined the office of deputy secretary on account of his being elected a member of assembly for the state of New-Jersey,

Resolved, That another deputy secretary be appointed:

That the pay of the deputy secretary be 75 dollars a month.

Resolved, That Jacob Rush, esquire, be appointed deputy secretary.

Resolved, That Mr. John Eustace, who has served with honor, fidelity and bravery as aid de camp to general Lee and general Sullivan, have the commission of a major in the service of the United States. *Resolved*,

Resolved, That to-morrow be assigned for electing a quartermaster general in the room of general Mifflin.

The board of treasury report, "That agreeable to the order of Congress, referring to the board the claims of monsr le Brun and the other French gentlemen who accompanied the late monsr. du Coudray from France in consequence of an agreement with Mr. Deane, they have been attended by monsr. le Brun, who is agent for the other gentlemen:

That the board offered monsr. le Brun to report it as their opinion, and which they had reason to belive would be agreeable to Congress, notwithstanding they declared that the United States were not bound by Mr. Deane's convention, that monsr. le Brun and all the other gentlemen whom he represents should be received into the service of the United States and enjoy the several ranks and employments which had been stipulated for them by Mr. Deane, and the same pay and appointments which were allowed to other officers of similar ranks and employments in the American army, explaining at the same time the mischief which must arise from partial distinctions in the appointments of the officers of the army: that they made the same propositions and remarks with respect to him and the gentlemen whom he represents to Mr. du Coudray in his life time, which they presumed had been communicated: that Mr. le Brun, in answer to this proposal, declared that he and the gentlemen whom he represented were determined to return to France as soon as possible, and presented a paper setting forth their claims against the United States, which with the account referred to them by Congress the board took in consideration: that Congress on the 13th day of October last did pass the following resolution, "That the commissioned and non commissioned officers who have accompanied monsr. du Coudray from France have the ranks proposed for them in France, together with the pay and emoluments of equal ranks in the service of the United States:" That it appears from a memorial presented to Congress by monsr. du Coudray that he received at Havre de Grace in France, from Mr. Montieu by order of Mr. Deane, 26541 livres, as well for himself as the officers who accompanied him; which sum was intended to have been applied to defray the expence of their voyage to America, and of furnishing themselves with

necessary

neceſſary camp equipage on their arrival, and for which the committee agreed to make no charge againſt them: on theſe principles the board ſubmit to Congreſs the following reſolution, viz.

Reſolved, That it is the opinion of this Committee, that the return of the ſaid gentlemen to France at their own requeſt be facilitated, and that it will be doing full juſtice to allow them continental pay according to their reſpective ſtations from the time of their agreement with Mr. Deane to the firſt of November 1777, their expences in travelling to the eaſtward or ſouthward for embarkation for Europe, and a farther ſum in bills of exchange for their paſſages to France and travelling charges to Paris: that the bills be drawn in their favour by the preſident on the commiſſioners in France at thirty days ſight, and that theſe allowances ſhall be in full ſatisfaction of their ſeveral claims againſt the United States: and the committee having made an eſtimate of the allowances according to this reſolution, ſubmit the ſame in manner following;

	Amount of Pay.	Traveling expences.	Paſſage and traveling expences to Paris.
Doctor Noel,	600 dol.	100 dol.	900 livres tourn.
Mr. le Brun, adjt. gen.	1000 do.	100 do.	900 do.
Mr. le Brun, capt. eng.	700 do.	100 do.	900 do.
Mr. Villefranche do.	700 do.	100 do.	900 do.
Mr. Varaigue, do.	675 do.	100 do.	900 do.
Mr. Frontfreyde, lt. eng.	437 2-3	100 do.	900 do.
Mr. Rivaud, do.	437 2-3	100 do.	900 do.
Mr. le Blanc, do.	437 2-3	100 do.	900 do.
Mr. l'Enfant, do.	437 2-3	100 do.	900 do.
Mr. Niverd, capt. miner.	650 do.	100 do.	900 do.
Mr. Canyjett, lieut. do.	437 2-3	100 do.	900 do.
Mr. Pariſis, ndo.	437 2-3	100 do.	900 do.
Mr. des Eſpiniers, capt.	675 do.	100 do.	900 do.
Mr. Romanett, do.	650 do.	100 do.	900 do.
Mr. Leyaute, capt. artil.	600 do.	100 do.	900 do.
Mr. Touzard, do.	550 do.	100 do.	900 do.
Mr. de Goy, capt. lt. do.	520 do.	100 do.	900 do.
Mr. Pierre, do.	520 do.	100 do.	900 do.
Mr. Pariſon, do.	520 do.	100 do.	900 do.
Mr. Matthiot, lieut,	325 do.	100 do.	900 do.
Mr. Boichard, do.	325 do.	100 do.	900 do.
Mr. Ganot, do.	325 do.	100 do.	900 do.
Mr. Mattigny, do.	283 1-3	100 do.	900 do.
Mr. Pommereimel, do.	300 do.	100 do.	900 do.
Mr. du Ballet, do.	283 1-3	100 do.	900 do.
Mr. Fouquet, capt. bom.	520 do.	100 do.	900 do.
Mr. Fouquet, lieut.	325 do.	100 do.	900 do.

Mr. Begard, lt. workmen, 325 do. 100 do. 900 do.
12 Serjeants of artillery, 1625 do. 000 do. 000

15622 2-3 2800 25200

Of which they have been paid 11421, ſo that there remains a balance of pay 4201 2-3 dollars, for expences 2800 dollars, and for taking a draught at Marcus Hook, 219 dollars, amounting in the whole to 7220 2-3 dollars:" whereupon

Reſolved, That Congreſs agree to the ſaid report and reſolution, and that the ſaid balance of 7220 2-3 dollars be paid and bills drawn for 25200 livres accordingly.

The committee on the treaſury brought in a farther report; whereupon

Reſolved, That the proviſion made for Mr. le Brun and the officers who accompanied him from France be extended to Mr. le Balme, who has reſigned his commiſſion as inſpector general of horſe in the ſervice of the United States, and intends to return to Paris, and that there be paid to the ſaid Mr. de la Balme the balance of his pay 167 45-90 dollars, one hundred dollars for his travelling expences to Boſton or Charleſton, and a further ſum of 900 livres in bills of exchange for his paſſage to France and charges to Paris; and that the bills be drawn in his favour on the commiſſioners in France at thirty days ſight, and that theſe allowances ſhall be in full ſatisfaction of his claims againſt the United States.

Four o'Clock, P. M.

A motion being made for ſupplying colonel Dayton with a horſe.

Ordered, That it be referred to the board of war.

Application being made by Mr. le Brun for two waggons to carry his and the other gentlemen's effects to Boſton or to the ſouthward;

Ordered, That it be referred to the board of war, with power to grant his requeſt, and to employ the waggons on their return in ſuch public ſervice as they think proper.

Congreſs reſumed the conſideration of the articles of confederation; whereupon it was moved after the words "to appoint one of their number to preſide," to add "provided that no perſon be allowed to ſerve in that office more than one year in any term of three years;" and the yeas and nays being required,

New-

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New York,	Mr. Duane,	*no*	*no*
	Mr. Duer.	*no*	
New Jerſey,	Mr. Elmer,	*ay*	*ay*
Pennſylvania,	Mr. Morris,	*no*	*ay*
	Mr. Roberdeau,	*ay*	
	Mr. Clingan,	*ay*	
Maryland,	Mr. Smith,	*no*	*divided.*
	Mr. Rumſey,	*ay*	
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*divided.*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*

So it was reſolved in the affirmative.

A motion was made to ſtrike out the whole article relative to the powers of the committee of the ſtates, and inſtead thereof to ſubſtitute "The committee of the ſtates or any nine of them ſhall be authoriſed to execute, in the receſs of Congreſs, ſuch of the powers of Congreſs as the United States in Congreſs aſſembled, by the conſent of nine ſtates, ſhall from time to time think expedient to veſt them with; provided no power be delegated to the ſaid committee for the exerciſe of which by the articles of confederation the voice of nine ſtates in the Congreſs of the United States aſſembled is requiſite;" and the queſtion being put,

Reſolved in the affirmative.

In the article reſpecting Canada it was moved to ſtrike out the word "entirely" before "joining," and read "Canada acceding to this confederation and joining in the meaſures of the United States."

Reſolved in the affirmative.

Ordered, That Mr. S. Adams and Mr. J. Adams have leave of abſence to viſit their families.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow,

SATURDAY,

SATURDAY, *November* 8, 1777.

The committee to whom was referred the motion respecting the convention of Saratoga, brought in a report; which was read:

On motion that the consideration thereof be postponed,

New-Hampshire,	Mr. Folsom,	*ay*	*ay*
Massachusetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. J. Adams,	*no*	
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer.	*ay*	
New-Jersey,	Mr. Elmer,	*ay*	*ay*
Pennsylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Smith,	*ay*	*ay*
	Mr. Rumsey,	*ay*	
Virginia,	Mr. Jones,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina	Mr. Laurens,	*no*	*no*

So it was resolved in the affirmative.

Four o'Clock, P. M.

Congress resumed the consideration of the report brought in this morning; whereupon

Resolved, That major general Heath be directed forthwith to cause to be taken down the name and rank of every commissioned officer, and the name, former place of abode, occupation, size, age and description of every non-commissioned officer and private soldier, and all other persons comprehended in the convention made between lieutenant general Burgoyne and major general Gates on the 16th day of October 1777, and transmit an authentic copy thereof to the board of war, in order that if any officer, soldier or other person as above mentioned of the said army shall hereafter be found in arms against these states in North-America during the present contest, he may be convicted of the

the offence, and suffer the punishment in such case inflicted by the law of nations.

That major general Heath be directed to take the parole in writing of the officers according to the convention, and transmit authenticated copies of such paroles to the board of war.

Ordered, That the committee have leave to sit again.

A memorial from sundry officers of the Pennsylvania troops was read.

Ordered, That it be referred to the board of war.

Resolved, That general Mifflin be desired, notwithstanding his resignation of quarter master general is accepted, to continue in the exercise of that office, and that he be invested with full powers to act until another quarter master general is appointed and enters upon the duties of the office.

The committee on foreign applications reported a memorial and proposal from Mr. Fouquet and Son to continue in the service of the United States.

Ordered, That the same be referred to the board of war, and that they be empowered to enter into a contract with Mr. Fouquet and Son and engage them in the service of the United States.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY, *November* 10, 1777.

A letter of the 30th and one of the 31st of October from general Gates at Albany, with one of the 26th inclosed from governor Clinton to general Gates;

A memorial from monsr. le Brun; and a letter of the 8th and one of the 10th instant from W. Buchanan, commissary general of purchases; were read.

Ordered, That the letter from governor Clinton be referred to the board of war; that the letters from general Gates and Mr. Buchanan, and the memorial from Mr. le Brun, be referred to the board of treasury.

Sundry depositions relative to the conduct of lieutenant Reynolds, of one of the additional regiments, were read.

Ordered, That they be referred to general Washington, and that he be directed to cause a strict enquiry to be made into the conduct of lieutenant Reynolds, as set forth in the said depositions, that if found guilty he may be punished as his crimes deserve.

Congress

Congreſs took into conſideration a report of the board of war of the 6th: whereupon

Reſolved, That the committee of foreign affairs be directed to write to the commiſſioners of the United States in France and Spain to purchaſe and ſhip on continental account in armed veſſels, in addition to what has heretofore been ordered by Congreſs, 500 tons of lead, 400 tons of powder, one million of gun flints, tents for 30,000 men, and 10,000 yards of flannel for cartridges, to be ſent to ſuch ports and places as the ſaid committee ſhall direct; and that the former orders of Congreſs and of the commercial committee for cloathing, fire arms, equipage, braſs field pieces, ſalt, and other articles, and for 130,000 blankets be compleated as ſoon as may be.

That the committee be alſo directed to write to the commiſſioners, and inſtruct them to contract with and ſend over by different conveyances, two or three perſons well acquainted with the making of gun flints, in order to inſtruct perſons in that buſineſs and introduce into theſe ſtates ſo uſeful a manufacture; likewiſe three or more proper perſons ſkilful in working lead mines and refining lead ore, and three or more perſons ſkilful in the diſcovery of ſulphur mines and manufacturing and refining ſulphur.

Ordered, That the commercial committee and the committee of foreign affairs immediately report to Congreſs what orders they have tranſmitted to the commiſſioners of the United States in France and Spain for military ſupplies, deſignating what have arrived and ſuch as they are informed have been taken by the enemy or have miſcarried.

Reſolved, That general Gates be authoriſed to order the deputy paymaſter general to pay, upon the certificates of ſuch officers as he ſhall think proper, the ſums due to the officers and ſoldiers of the army under his command for rations or parts of rations allowed to, but not drawn by them reſpectively, provided the regulations of the commiſſary's department relative to the payment of rations as aforeſaid be no longer diſpenſed with than general Gates ſhall judge neceſſary.

Ordered, That to-morrow be aſſigned for appointing a deputy commiſſary general of purchaſes and a deputy commiſſary of iſſues in the Weſtern diſtrict.

Four

Four o'clock, P. M.

Sundry propoſitions being laid before Congreſs in addition to the articles of confederation,

Reſolved, That a committee of three be appointed to take the ſame into conſideration and report ſuch as they ſhall judge proper to be added to the articles of confederation, not changing or altering any of the articles already agreed on.

The members choſen, Mr. Law, Mr. R. H. Lee, and Mr. Duane.

A memorial from Mr. de Vernejour was read:

Ordered, That it be referred to the board of war, and that they be directed to conſider the merit and ſervices of Mr. Fleury and Mr. du Pleſſis and report to Congreſs.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *November* 11, 1777.

A memorial from chevalier Dorſet, and a memorial from the officers who accompanied Mr. du Coudray, were read.

Reſolved, That a committee of three be appointed to take into conſideration the applications of the commiſſioned and non commiſſioned officers who accompanied Mr. du Coudray from France; to reviſe the report of the treaſury and the reſolutions of Congreſs thereon reſpecting thoſe officers; and as ſoon as poſſible report to Congreſs what further ſums, if any, they ſhall apprehend it juſt and expedient Congreſs ſhould grant them; that the ſaid committee alſo take into conſideration the memorial of chevalier Dorſet and the aplication of any other foreign gentlemen now attending Congreſs.

The members choſen, Mr. R. H. Lee, Mr. Marchant, and Mr. Duane.

Four o'Clock, P. M.

The committee on the treaſury brought in a report whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of John Brown, ſecretary to the marine committee, for 2000 dollars, for the uſe of the ſaid committee, who are to be acccountable.

That the preſident iſſue a warrant on Thomas Smith, eſquire, commiſſioner of the loan office for the ſtate of Pennſylvania, in favour of Matthew Irvine, agent to Joſeph

ſeph Trumbull, eſquire, late commiſſary general, for 50,000 dollars, advanced in conſequence of Mr. J. Trumbull's letter of the 14th of Auguſt, to enable him to pay his contracts for proviſions, the ſaid Joſeph Trumbull to be accountable.

That a warrant iſſue in favour of Elijah Etting for 426 60-90 dollars, for the payment of Joſeph Simon's order, dated Lancaſter October the 29th laſt, in his favour, for blankets delivered brigadier general Hand at fort Pitt, for the uſe of the hoſpital there, brigadier general Hand to be accountable.

The committee appointed to take into conſideration the new articles propoſed to be added to or concluded in the confederation, brought in a report which was read.

Ordered, That it be taken into conſideration to-morrow morning.

Congreſs proceeded to the election of a deputy commiſſary general of iſſues for ſupplying the forts and poſts on the weſtern frontiers of Penſylvania and Virginia; and the ballots being taken

John Erwing was elected.

The preſident laid before Congreſs a copy of a reſolution paſſed in Congreſs on September the 18th ordering commiſſions to be granted to a number of officers in the department of the commiſſary general of military ſtores, which was delivered to him by colonel B. Flower, C. G. M. together with the liſt of the officers, who, notwithſtanding the reſolution aforeſaid have not yet received their commiſſions; whereupon

Ordered, That commiſſions be granted to the following perſons in the department of the commiſſary general of military ſtores, with the dates annexed to their reſpective names agreeably to the ſaid liſt, viz.

Of the company to work in the laboratory, inliſted to ſerve during the war as artillery men, Iſaac Coren captain, February the 1ſt 1777; Will. E. Godfrey captain lieutenant, July the 1ſt 1777; Anthony Wright firſt lieutenant, March the 1ſt 1777; Andrew Caldwell ſecond lieutenant, April the 1ſt 1777.

Of the company of artillery artificers, inliſted during the war, to be attached to the artillery in the field, Jeſſe Roe captain, February the 3d 1777; Valentine Hoffman captain lieutenant, February the 12th 1777; Chriſtian Beackly firſt lieutenant, February the 3d 1777; and Will. Preſton

Preſton ſecond lieutenant, April 7, 1777:—Of the companies of artillery artificers, inliſted to ſerve for one year and ordered to be re-inliſted to ſerve during the war,

Nathaniel Iriſh captain, February 7th, 1777; Thomas Wylie captain lieutenant, February 17th, 1777; George Norris firſt lieutenant, February 8th, 1777; James Sweiney ſecond lieutenant, February 22d, 1777: David Pancoaſt captain, February 10th, 1777; John Jordan captain lieutenant, February 17th, 1777; James Gibſon firſt lieutenant, February 17th, 1777:

Jonathan Goſtelow major, commiſſary of military ſtores, February 1ſt, 1777; Joſeph Watkins major commiſſary of ordnance ſtores, February 5th, 1777; Wollory Ming captain, ſuperintendant of leather manufactory, April 1ſt, 1777; Samuel Sergeant, ſuperintendant of the public works at Carliſle and keeper of all the ſtores, Auguſt 1777, his pay 60 dollars a month and 4 rations a day:

Charles Lukins major, commiſſary of military ſtores and paymaſter to the commiſſary general of military ſtores in the department of Carliſle, March 8th 1777, his pay 60 dollars a month and 4 rations a day:

Johnſon Smith, contractor and procurer of all the lumber and ſome other materials wanted for the public works at Carliſle, July 21ſt 1777, pay 60 dollars a month and 3 rations a day:

Cornelius Sweers, aſſiſtant commiſſary of military ſtores at Philadelphia, February 1ſt 1777:

Alexander Power, quartermaſter to the corps of artillery artificers at Carliſle, July 30th 1777, ſame pay and rations as regimental quartermaſter:

Samuel French major, commiſſary of military ſtores, January 18th 1777, with the army:

George Everſon captain, deputy commiſſary of military ſtores, January 18th 1777:

Alexander Henderſon captain, deputy commiſſary of military ſtores, September 10th 1777:

A memorial from Thomas Hite, adminiſtrator of the eſtate of Jacob Hite deceaſed, in behalf of the heirs of the ſaid deceaſed, was read;

Ordered, That it be referred to the board of treaſury.

The ſeveral matters to this day referred being poſtponed adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 12, 1777.

A letter of the 8th from general Washington at Whitemarsh, inclosing a copy of a letter from general Dickinson; one of the 31st of October from general Heath; also a letter of the 30th of October from Ebenezer Hancock; and one of the 16th of October from J. Bradford; were read;

Ordered, That the letters from general Washington and E. Hancock be referred to the board of treasury: and that the letter from J. Bradford be referred to the committee of commerce.

Resolved, That a copy of general Heath's letter of the 31st of October be transmitted to the general assembly of the state of Massachusetts-Bay, who are requested to afford Samuel Allen Otis, esquire, agent of the cloathier general in the said state, the necessary assistance for procuring the cloathing mentioned in the said letter and for having it made up for the army, who are in great want thereof.

An order drawn on John Hancock, esquire, president of Congress, by George Morgan, in favor of Sampson Mathews, dated October the 1st 1777, was presented to Congress:

Ordered, That it be referred to the board of treasury.

Congress took in consideration the articles proposed to be added to the confederation; whereupon

Resolved, That the following be included.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress.

The members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from and attendance on Congress, except for treason, felony or breach of the peace.

Adjourned to four o'clock.

Four o'Clock, P. M.

The board of treasury brought in a report; whereupon

Ordered, That Jonathan Trumbull, esquire, transmit to Congress a certificate from Mr. Cuyler, deputy commissary general of purchases for the Northern district, specifying the sum supplied the latter from the military chest, and that the board of treasury be authorised thereupon to credit Mr. Trumbull

Trumbull for the said sum, and charge it to the commissary general of purchases.

Ordered, That a warrant issue on Nathaniel Appleton, esquire, commissioner of the continental loan office in the state of Massachusetts-Bay, in favor of doctor William Shippin, director general of the hospital, for 67,000 dollars, for the use of his department and for which he is to be accountable:

That a warrant issue on Nathaniel Appleton, commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of William Buchanan, commissary general of purchases, for 200,000 dollars, for the use of the Eastern department; and that another warrant issue on the continental treasurer in favor of the board of war for 200,000 dollars, to be by them transmitted to the deputy commissary general of purchases for the Northern department; that one other warrant issue on the treasurer in favor of the board of war for 200,000 dollars, to be by them transmitted to the deputy commissary general of purchases in the Southern district; for which three sums, amounting to 600,000 dollars, the said William Buchanan, esquire, commissary general of purchases, is to be accountable.

Congress resumed the consideration of the articles proposed to be added to the confederation; whereupon

Resolved, That the following be included therein,

If any person guilty of or charged with treason, felony or other high misdemeanor in any state, shall flee from justice and be found in any of the United States, he shall upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of the states to to the records, acts and judicial proceedings of the courts and magistrates of every other state.

It was then moved to add, "and an action of debt may be commenced in a court of law of any state for the recovery of a debt due on a judgment of any court in any other state; provided the judgment creditor shall give bond with sufficient sureties before the said court, in which the action shall be brought, to answer in damages to the adverse party, in case the original judgment should be afterwards revised and set aside, and provided the party against whom such judgment may have been obtained had notice in fact of the service of the

the original writ upon which ſuch judgment ſhall be founded."

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*
Rhode Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer.	*ay*	*ay*
	Mr Law,	*no*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*no*	*
New-Jerſey,	Mr. Elmer,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*ay*	*divided.*
	Mr. Clingan,	*no*	
Maryland,	Mr. Smith,	*no*	*divided.*
	Mr. Rumſey,	*ay*	
Virginia,	Mr. Jones.	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*

So it paſſed in the negative.

A letter of the 10th from general Waſhington was read, together with the proceedings of a board of general officers for ſettling the ranks of the Pennſylvania field officers, dated the 17th of Auguſt 1777, and the ſame being taken into conſideration; thereupon

Reſolved, That Congreſs agree to the principle adopted by the ſaid board in ſettling the relative rank or precedence of officers according to that ſtanding they held in the army immediately before their preſent commiſſions, except where perſons are promoted upon principle of merit only; and that the arrangement made by the ſaid board with reſpect to the relative rank of the Pennſylvania field officers, be and it is hereby confirmed.

Reſolved, That the commiſſions heretofore granted to the ſaid officers be and they are hereby vacated.

Ordered, That the ſaid commiſſions be delivered by the reſpective officers to general Waſhington.

Ordered, That new commiſſions be made out for the ſaid officers, with the ranks and dates annexed to their names reſpectively, and tranſmitted to general Waſhington.

1ſt.

1ſt, colonel Magaw, January 3d, 1776; 2d, colonel Irvine, January 9th; 3d, colonel Cadwallader, September 7th; 4th, colonel Johnſon, September 27th; 5th, colonel Chambers, September 28th; 6th, colonel Broadhead, September 29th; 7th colonel Wood, September 30th; 8th, colonel Humpton, October 1ſt; 9th, colonel Cook, October 2d.—Lieutenant Colonels; 1ſt, Nagle, Auguſt 21ſt; 2d, Becker, Auguſt 22d; 3d, Roſs, September 27th; 4th, Richard Butler, September 28th; 5th, Craig, September 29th: 6th, William Butler, September 30th; 7th, Frazier, October 1ſt; 8th Greer, October 2d; 9th, Guerney, October, 3d; 10th, Hubley, October 4th; 11th, Gray, October 5th. 1776.—Majors, 1ſt. Smith, September 27th, 1776; 2d, Miller, September 28th; 3d, Williams, September 29th; 4th, Lamar, September 30th; 5th, Harman, October 1ſt; 6th, Robinſon, October 2d; 7th, Benezet, October 3d; 8th, Bayard, October 4th; 9th, Hay, October 5th; 10th, North, October 6th; 11th, Mentzes, October 7th; 12th, Crawford, October 8th, 1776.

Reſolved That colonel Stewart's regiment be annexed to the Pennſylvania line, and form the thirteenth regiment.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *November* 13, 1777.

The board of war brought in a report; whereupon

Reſolved, That blank commiſſions be ſent to general Gates, to enable him to fill up the vacancies in the Maſſachuſetts regiments, in purſuance of powers given him for that purpoſe by that ſtate.

A letter of the 17th of October from William Aylett, eſquire, incloſing his accounts for the purchaſe of flour, was laid before Congreſs and read:

Ordered, That it be referred to the board of treaſury.

Reſolved, That a committee of three be appointed to enquire into the cauſe of the obſtructions in the department of the poſtmaſter general, and report thereon to Congreſs.

The members choſen, Mr. Roberdeau, Mr. Gerry, and Mr. Marchant.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Maſſachuſetts-Bay, in favour of Ebenezer Hancock, eſquire, deputy paymaſter general in the Eaſtern department, for 200,000 dollars, to be paid after the warrants drawn the 12th inſtant, in favour of the commiſſary general of purchaſes; it being for the uſe of the ſaid department, and for which the ſaid deputy paymaſter general is to be accountable.

That a warrant iſſue on the continental loan-officer for the ſtate of Rhode-Iſland, for 44,000 dollars, and another warrant on the commiſſioner of the loan office in the ſtate of Maryland for 8000 dollars, both in favour of the marine committee or their order, and for which they are to be accountable:

That a warrant iſſue on the treaſurer in favour of colonel Jeſſe Ewell, of a regiment of militia from the ſtate of Virginia, 1097 30-90 dollars, for which he is to be accountable:

That a warrant iſſue on the continental loan-officer for the ſtate of Maſſachuſetts-Bay for 20,000 dollars, and another warrant on the commiſſioner of the loan-office of the ſtate of New-Hampſhire for 10000 dollars, both in favour of James Meaſe, eſquire, cloathier general, being an advance for the uſe of his department, and for which he is to be accountable:

That a warrant iſſue on the treaſurer in favour of captain David Bell for 3000 dollars, in diſcharge of a bill drawn on Congreſs in favour of Sampſon Matthews by colonel George Morgan, dated the 1ſt of October 1777, on account of proviſions for the uſe of the Weſtern department; colonel Morgan to be accountable.

Four o'clock, P. M.

A letter of the 3d from general Putnam, and one of this day from William Buchanan, eſquire, commiſſary general of purchaſes, with one incloſed from general Putnam, dated November the 3d, were read:

Ordered, That the ſame be referred to the committee appointed to conſider and report upon the letter from S. Hopkins, eſquire, and the papers incloſed.

Congreſs reſumed the conſideration of the articles propoſed to be added to the confederation, and the following were agreed to:

The better to ſecure and perpetuate mutual friendſhip and intercourſe among the people of the different ſtates

ſtates in this union, the free inhabitants of each of theſe ſtates, paupers, vagabonds and fugitives from juſtice excepted, ſhall be entitled to all privileges and immunities of free citizens in the reſpective ſtates; and the people of each ſtate ſhall have free ingreſs and regreſs to and from any other ſtate, and ſhall enjoy therein all the privileges of trade and commerce, ſubject to the ſame duties, impoſitions and reſtrictions as the inhabitants thereof reſpectively provided that ſuch reſtriction ſhall not extend ſo far as to prevent the removal of property imported into any ſtate to any other ſtate, of which the owner is an inhabitant; provided alſo that no impoſition, duties or reſtriction: ſhall be laid by any ſtate on the property of the United States or either of them.

All bills of credit emitted, monies borrowed, and debts contracted, by or under the authority of Congreſs, before the aſſembling of the United States, in purſuance of the preſent confederation, ſhall be deemed and conſidered as a charge againſt the United States, for payment and ſatisfaction whereof the ſaid United States and the public faith are hereby ſolemnly pledged.

All controverſies concerning the private right of ſoil claimed under different grants of two or more ſtates, whoſe juriſdictions, as they may reſpect ſuch lands and the ſtates which paſſed ſuch grants are adjuſted, the ſaid grants or either of them being at the ſame time claimed to have originated antecedent to ſuch ſettlement of juriſdiction, ſhall on the petition of either party to the Congreſs of the United States, be finally determined, in the ſame manner, as near as may be, as is before preſcribed for deciding diſputes reſpecting territorial juriſdiction between different ſtates.

Reſolved, That a committee of three be appointed to reviſe and arrange the articles of confederation agreed to, and to prepare a circular letter to the reſpective ſtates to accompany the ſaid articles.

The members choſen, Mr. R. H. Lee, Mr. Duane, and Mr. Lovell.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *November* 13, 1777.

A letter of the 11th from general Waſhington at White-Marſh, with a copy of a letter of the 7th from general Putnam

Putnam, and a report of a board of general officers on the ſubject of rations, and a memorial from monſieur du Portail incloſed, was read; alſo a letter of the 11th from W. Palfrey, eſquire, paymaſter general, with ſundry papers incloſed, was read.

Ordered, That the letter from general Waſhington, with the papers incloſed, be referred to the board of war:

That the letter from W. Palfrey, with the letters incloſed, be referred to the board of treaſury.

Whereas major general Schuyler has greatly ſuffered in his private affairs by the barbarous ravages of the Britiſh army under the command of lieutenant general Burgoyne on their retreat from Saratoga;

Reſolved, That major general Schuyler be at liberty to attend his private affairs until the committee appointed to enquire into the cauſes of the loſs of Ticonderoga and mount Independence ſhall make their report, and he ſhall have notice to attend at head quarters in order to an enquiry into that event.

Whereas the committee appointed to enquire into the cauſes of the loſs of Ticonderoga and mount Independence have not yet been able to collect materials and make their report;

Reſolved, That major general St. Clair be at liberty to attend his private affairs until he ſhall have notice to repair to head quarters in order to an enquiry into his conduct.

Ordered, That a warrant iſſue in favour of the board of war for 150,000 dollars to be forthwith tranſmitted agreeably to the requeſt of William Palfrey, eſquire, paymaſter general, to William Bedlow his deputy at Fiſh Kill; the ſaid William Palfrey, eſquire, to be accountable; and that the board of war direct the commanding officer at Fiſh-Kill to inform the troops there that money ſhall be ſent as ſoon as poſſible to diſcharge the arrearages due to them.

The committee appointed to reviſe and arrange the articles of confederation, reported a draught which was read and agreed to.

Ordered, That a fair copy be made out accordingly.

Four o'Clock, P. M.

The committee appointed to take into conſideration the application of the commiſſioned and non-commiſſi-

oned

oned officers who accompanied Mr. du Coudray from France, to reviſe the report of the treaſury and the reſolutions of Congreſs thereon reſpecting thoſe officers and as ſoon as poſſible to report to Congreſs what farther ſums, if any, they ſhall apprehend it is juſt and expedient Congreſs ſhould grant to them, and alſo to take into conſideration the memorial of the chevalier Dorſet and the application of any other foreign gentlemen attending Congreſs, report

"That they find by the repreſentation of Mr. le Brun, that among the officers of the late general du Coudray's corps, there are ſix gentlemen who have received no part of the gratifications allowed to the other officers of that corps out of the 26,541 livres granted by Mr. Deane, which ſum of 26,541 livres has been otherwiſe expended, as appears from an account preſented to Congreſs by general du Coudray before his death; that the reaſon of theſe officers being formerly omitted, except Mr. Touzard and M. Epiniers, who received part of their gratifications, aroſe from its being more agreeable to them to receive their portions in America than in France, having money ſufficient for immediate uſe in that country prior to their embarkation: the committee therefore are of opinion, that it will be equal and right to allow the gentlemen formerly omitted, gratifications proportionable to what have already been made to others of ſimilar rank in the ſame corps, as follows, viz.

To monſieur des Epiniers nine hundred livres, Mr. Romanet one thouſand five hundred livres, Mr. Touzard four hundred and fifty livres, Mr. Mattigny ſix hundred livres, Mr. l'Enfant ſix hundred livres, Mr. Ganot ſix hundred livres, making in the whole four thouſand ſix hundred and fifty livres:"

"The committee alſo think it reaſonable that proviſion be made for the travelling expences and the paſſages of twelve ſergeants belonging to general du Coudray's corps, who are likewiſe returning to France, in proportion to the allowance already made the commiſſioned officers, which proportionate allowance the committee eſtimate at ſixty dollars each for travelling expences to Boſton, and four hundred and fifty livres each for paſſage and travelling expences to Paris, amounting to ſeven hundred and twenty dollars and five thouſand four hundred livres.

"The committee likewife find upon examination, that in the former fettlement a balance of travelling expences, accruing on the journey from Boſton to Philadelphia, was omitted to be credited, which ought to be allowed, amounting to one thouſand and four dollars.

"The committee are farther of opinion, that the inconveniences of diſſimilar pay to perſons of ſimilar ranks ſerving in the ſame army, being no bar at preſent, ſince the officers under conſideration are returning to France, it will therefore be expedient and proper that they be allowed their pay in livres, by which it appears that a balance ſhould be paid to Mr. le Brun, to be diſtributed among the reſpective commiſſioned and non commiſſioned officers, amounting to fourteen thouſand five hundred and eighty livres and one half; that the livres allowed by this report be paid in the ſame manner as thoſe lately reported by the committee of treaſury for the ſame corps.

"The committee are of opinion, that no ſettlement of general du Coudray's affair can properly be made but with his legal repeſentatives, and that Mr. le Brun may, if he deſires it, be furniſhed with a certificate of this opinion, as well as that it is deemed unneceſſary to comprehend Mr. Fleury in this ſettlement, ſince that gentleman is now engaged in the continental ſervice, and that Mr. le Brun be furniſhed with a copy of this report, atteſted by the ſecretary of Congreſs.

"The committee are farther of opinion, that the two ſervants of Mr. du Condray be furniſhed each with a draught on the commiſſioners for four hundred and fifty French livres, to pay their paſſage to France; which ſum is to be charged in account with general du Coudray.

The ſaid report being read, and queſtion put to agree to it,

Maſſachuſetts Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
Rhode Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*no*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*no*	*
New-Jerſey,	Mr. Elmer,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	

Maryland,

Maryland,	Mr. Smith,	*ay*	*ay*
	Mr. Rumſey,	*ay*	
Virginia,	Mr. Jones,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*divided.*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*

So it was reſolved in the affirmative,

Reſolved, That the additional allowances now made ſhall be deemed and conſidered to be in full ſatisfaction of all claims which the ſaid gentlemen or either of them have againſt the United States or againſt Mr. Deane.

Reſolved, That general Waſhington be informed that Congreſs have long ſince written to the commiſſioners in France for cloaths compleat for eighty thouſand men, and have received for anſwer that they might be expected here by the ſetting in of winter; in conſequence of which Congreſs have reaſon to hope for this neceſſary arrival in a ſhort time: that Congreſs have alſo adopted various other means for importing cloathing, which they have reaſon to expect will be ſucceſsful; and on the 16th day of October ordered a copy of the general's return of articles wanted for the army to be tranſmitted to the reſpective aſſemblies of the Eaſtern and middle ſtates, with a preſſing recommendation to them to uſe their utmoſt endeavours to collect the ſame without delay and ſend them to the army. But ſince the wants of the army are immediate Congreſs wiſh the general may avail himſelf of of the powers veſted in him for obtaining theſe neceſſary ſuppliss from the diſaffected inhabitants. Congreſs being of opinion that the well diſpoſed people of theſe ſtates will rather be pleaſed than diſſatisfied with a procedure by which their enemies ſhall be compelled to ſupply thoſe things that are eſſential to the ſupport and comfort of the army, and more eſpecially as even the diſaffected will be paid a reaſonable price for what is demanded of them.

Reſolved, That the powers with which general Waſhington was inveſted by a reſolution of Congreſs of the 17th of September and another of the 8th of October laſt, be continued to the firſt day of March next, unleſs ſooner revoked by Congreſs.

Reſolved,

Resolved, That the president write a letter to the honorable Thomas M'Kean, speaker of the house of assembly of the state of Delaware, requesting him to exert his utmost endeavours effectually to prevent the disaffected inhabitants of that state from furnishing the enemy's fleet or army with provisions or supplies of any kind, and if he shall be of opinion that the strength of the well disposed people is not sufficient for the purposes above mentioned, that he inform Congress thereof, and what additional aid it may be necessary to send for effectually preventing the enemy getting supplies from the Delaware state; and that Mr. Speaker be informed a representation in Congress from that state is immediately wanted.

The delegates from New-York produced credentials of their appointment made in assembly and council the 2d of October 1777, whereby it appears that the honorable Philip Livingston, James Duane, Francis Lewis, William Duer, and Gouverneur Morris, or any two of them, are impowered to represent that state in Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *November* 15, 1777.

A memorial from Edward West was read.

Ordered, That it be referred to the executive council of Pennsylvania.

Resolved, That an extract of general Washington's letter of the 11th instant, relative to cloathing, be forthwith sent to the states of Massachusetts-Bay, Connecticut, New-Jersey, Pennsylvania, Maryland and Virginia, who are requested to send without delay to the army under his command the blankets and other articles of cloathing that may be collected agreeably to a recommendation of Congress of the 16th of October last, to answer the pressing demands of the army previous to the arrival of supplies of cloathing expected by Congress; and that duplicate receipts be taken for the same from the cloathier general or his deputies respectively.

A copy of the confederation being made out, and sundry amendments made in the diction, without altering the sense, the same was agreed to and is as follows:

ARTICLES OF CONFEDERATION and PERPETUAL UNION between the states of New-Hampshire, Massachusetts Bay, Rhode-Island and Providence

Providence plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.

Article 1. The ſtile of this confederacy ſhall be *The United States of America*

Article 2. Each ſtate retains its ſovereignty, freedom and independence, and every power, juriſdiction and right, which is not by this confederation expreſsly delegated to the United States in Congreſs aſſembled.

Article 3. The ſaid ſtates hereby ſeverally enter into a firm league of friendſhip with each other for their common defence, the ſecurity of their liberties and their mutual and general welfare; binding themſelves to aſſiſt each other againſt all force offered to or attacks made upon them or any of them on account of religion, ſovereignty, trade or any other pretence whatever.

Article 4. The better to ſecure and perpetuate mutual friendſhip and intercourſe among the people of the different ſtates in this union, the free inhabitants of each of theſe ſtates (paupers, vagabonds and fugitives from juſtice excepted) ſhall be entitled to all privileges and immunities of free citizens in the ſeveral ſtates; and the people of each ſtate ſhall have free ingreſs and regreſs to and from any other ſtate, and ſhall enjoy therein all the privileges of trade and commerce, ſubject to the ſame duties, impoſitions and reſtrictions as the inhabitants thereof reſpectively, provided that ſuch reſtrictions ſhall not extend ſo far as to prevent the removal of property into any ſtate to any other ſtate, of which the owner is an inhabitant; provided alſo that no impoſition, duties or reſtriction ſhall be laid by any ſtate on the property of the United States or either of them.

If any perſon guilty of or charged with treaſon, felony or other high miſdemeanor in any ſtate, ſhall flee from juſtice and be found in any of the United States, he ſhall upon demand of the governor or executive power of the ſtate from which he fled, be delivered up and removed to the ſtate having juriſdiction of his offence.

Full faith and credit ſhall be given in each of theſe ſtates to the records, acts and judicial proceedings of the courts and magiſtrates of every other ſtate.

Article 5. For the more convenient management of the general intereſt of the United States, delegates ſhall be annually appointed, in ſuch manner as the legiſlature

of

of each ſtate ſhall direct, to meet in Congreſs on the firſt Monday in November, in every year, with a power reſerved to each ſtate to recal its delegates or any of them, at any time within the year, and to ſend others in their ſtead for the remainder of the year.

No ſtate ſhall be repreſented in Congreſs by leſs than two nor by more than ſeven members; and no perſon ſhall be capable of being a delegate for more than three years in any term of ſix years; nor ſhall any perſon, being a delegate, be capable of holding any office under the United States, for which he, or any other for his benefit, receives any ſalary, fees or emolument of any kind.

Each ſtate ſhall maintain its own delegates in any meeting of the ſtates, and while they act as members of the committee of the ſtates.

In determining queſtions in the United States in Congreſs aſſembled, each ſtate ſhall have one vote.

Freedom of ſpeech and debate in Congreſs ſhall not be impeached or queſtioned in any court or place out of Congreſs; and the members of Congreſs ſhall be protected in their perſons from arreſts and impriſonments, during the time of their going to and from and attendance on Congreſs, except for treaſon, felony or breach of the peace.

Article 6. No ſtate, without the conſent of the United States in Congreſs aſſembled, ſhall ſend any embaſſy to, or receive any embaſſy from, or enter into any conference, agreement, alliance or treaty with any king, prince or ſtate; nor ſhall any perſon holding any office of profit or truſt under the United States or any of them, accept of any preſent, emolument, office or title of any kind whatever from any king, prince or foreign ſtate; nor ſhall the United States in Congreſs aſſembled, or any of them, grant any title of nobility.

No two or more ſtates ſhall enter into any treaty, confederation or alliance whatever between them without the conſent of the United States in Congreſs aſſembled, ſpecifying accurately the purpoſes for which the ſame is to be entered into, and how long it ſhall continue.

No ſtate ſhall lay any impoſts or duties which may interfere with any ſtipulations in treaties entered into by the United States in Congreſs aſſembled with any king, prince or ſtate, in purſuance of any treaties already propoſed by Congreſs to the Courts of France and Spain.

No

No veſſels of war ſhall be kept up in time of peace by any ſtate, except ſuch number only, as ſhall be deemed neceſſary by the United States in Congreſs aſſembled for the defence of ſuch ſtate or its trade; nor ſhall any body of forces be kept up by any ſtate, in time of peace, except ſuch number only as, in the judgment of the United States in Congreſs aſſembled, ſhall be deemed requiſite to garriſon the forts neceſſary for the defence of ſuch ſtate; but every ſtate ſhall always keep up a well regulated and diſciplined militia, ſufficiently armed and accoutred, and ſhall provide and have conſtantly ready for uſe in public ſtores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No ſtate ſhall engage in any war without the conſent of the United States in Congreſs aſſembled, unleſs ſuch ſtate be actually invaded by enemies or ſhall have certain advice of a reſolution being formed by ſome nation of Indians to invade ſuch ſtate, and the danger is ſo eminent as not to admit of a delay till the United States in Congreſs aſſembled can be conſulted; nor ſhall any ſtate grant commiſſions to any ſhips or veſſels of war, nor letters of marque or repriſal, excepting it be after a declaration of war by the United States in Congreſs aſſembled, and then only againſt the kingdom or ſtate and the ſubjects thereof againſt which war has been ſo declared, and under ſuch regulations as ſhall be eſtabliſhed by the United States in Congreſs aſſembled, unleſs ſuch ſtate be infeſted by pirates, in which caſe veſſels of war may be fitted out for that occaſion, and kept ſo long as the danger ſhall continue, or until the United States in Congreſs aſſembled ſhall determine otherwiſe.

Article 7. When land forces are raiſed by any ſtate for the common defence, all officers of or under the rank of colonel ſhall be appointed by the legiſlature of each ſtate reſpectively by whom ſuch forces ſhall be raiſed, or in ſuch manner as ſuch ſtate ſhall direct; and all vacancies ſhall be filled up by the ſtate which firſt made the appointment.

Article 8. All charges of war and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion

portion to the value of all land within each ſtate granted to or ſurveyed for any perſon as ſuch land and the buildings and improvements thereon ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint.

The taxes for paying that proportion ſhall be laid and levied by the authority and direction of the legiſlatures of the ſeveral ſtates within the time agreed upon by the United States in Congreſs aſſembled.

Article 9. The United States in Congreſs aſſembled ſhall have the ſole and excluſive right and power of determining on peace and war, except in the caſes mentioned in the ſixth article—of ſending and receiving ambaſſadors—entering into treaties and alliances, provided that no treaty of commerce ſhall be made, whereby the legiſlative power of the reſpective ſtates ſhall be reſtrained from impoſing ſuch impoſts and duties on foreigners as their own people are ſubjected to, or from prohibiting the exportation or importation of any ſpecies of goods or commodities whatſoever—of eſtabliſhing rules for deciding in all caſes, what captures on land or water ſhall be legal, and in what manner prizes taken by land or naval forces in the ſervice of the United States ſhall be divided or appropriated—of granting letters of marque and repriſal in time of peace—appointing courts for the trial of piracies and felonies committed on the high ſeas, and eſtabliſhing courts for receiving and determining finally appeals in all caſes of captures; provided that no member of Congreſs ſhall be appointed judge of any of the ſaid courts.

The United States in Congreſs aſſembled ſhall alſo be the laſt reſort on appeal in all diſputes and differences now ſubſiſting or that hereafter may ariſe between two or more ſtates concerning boundary, juriſdiction or any other cauſe whatever; which authority ſhall always be exerciſed in the manner following: whenever the legiſlative or executive authority or lawful agent of any ſtate in controverſy with another ſhall preſent a petition to Congreſs, ſtating the matter in queſtion and praying for a hearing, notice thereof ſhall be given by order of Congreſs to the legiſlative or executive authority of the other ſtate in controverſy, and a day aſſigned for the appearance of the parties by their lawful agents, who ſhall then be directed to appoint by joint conſent, commiſſioners or judges to conſtitute a court for hearing and determining

determining the matter in queſtion; but if they cannot agree, Congreſs ſhall name three perſons out of each of the United States, and from the liſt of ſuch perſons each party ſhall alternately ſtrike out one, the petitioners beginning, until the number ſhall be reduced to thirteen; and from that number not leſs than ſeven nor more than nine names, as Congreſs ſhall direct, ſhall in the preſence of Congreſs, be drawn out by lot; and the perſons whoſe names ſhall be ſo drawn or any five of them, ſhall be commiſſioners or judges to hear and finally determine the controverſy, ſo always as a major part of the judges, who ſhall hear the cauſe, ſhall agree in the determination: and if either party ſhall neglect to attend at the day appointed, without ſhewing reaſons which Congreſs ſhall judge ſufficient, or being preſent ſhall refuſe to ſtrike, the Congreſs ſhall proceed to nominate three perſons out of each ſtate, and the ſecretary of Congreſs ſhall ſtrike in behalf of ſuch party abſent or refuſing; and the judgment and ſentence of the court to be appointed, in the manner before preſcribed, ſhall be final and concluſive; and if any of the parties ſhall refuſe to ſubmit to the authority of ſuch court, or to appear or defend their claim or cauſe, the court ſhall nevertheleſs proceed to pronounce ſentence or judgment, which ſhall in like manner be final and deciſive, the judgment or ſentence and other proceedings being in either caſe tranſmitted to Congreſs, and lodged among the acts of Congreſs for the ſecurity of the parties concerned: provided, that every commiſſioner, before he ſits in judgment, ſhall take an oath to be adminiſtered by one of the judges of the ſupreme or ſuperior court of the ſtate, where the cauſe ſhall be tried, "well and truly to hear and determine the matter in queſtion, according to the beſt of his judgment, without favour, affection or hope of reward:" provided alſo, that no ſtate ſhall be deprived of territory for the benefit of the United States.

All controverſies concerning the private right of ſoil, claimed under different grants of two or more ſtates, whoſe juriſdictions as they may reſpect ſuch lands and the ſtates which paſſed ſuch grants are adjuſted, the ſaid grants or either of them being at the ſame time claimed to have originated antecedent to ſuch ſettlement of juriſdiction, ſhall, on the petition of either party to the Congreſs of the United States, be finally determined, as near as may be in the ſame man-

ner as is before preſcribed for deciding diſputes reſpecting territorial juriſdiction between different ſtates.

The United States in Congreſs aſſembled ſhall alſo have the ſole and excluſive right and power of regulating the alloy and value of coin ſtruck by their own anthority, or by that of the reſpective ſtates—fixing the ſtandard of weights and meaſures throughout the United States—regulating the trade and managing all affairs with the Indians not members of any of the ſtates; provided that the legiſlative right of any ſtate within its own limits be not infringed or violated—eſtabliſhing or regulating poſt-offices from one ſtate to another throughout all the United States, and exacting ſuch poſtage on the papers paſſing through the ſame as may be requiſite to defray the expences of the ſaid office—apppointing all officers of the land forces in the ſervice of the United States, excepting regimental officers—appointing all the officers of the naval forces, and commiſſioning all officers whatever in the ſervice of the United States—making rules for the government and regulation of the ſaid land and naval forces and directing their operations.

The United States in Congreſs aſſembled ſhall have authority to appoint a committee to ſit in the receſs of Congreſs, to be denominated "a committee of the ſtates," and to conſiſt of one delegate from each ſtate, and to appoint ſuch other committees and civil officers as may be neceſſary for managing the general affairs of the United States, under their direction—to appoint one of their number to preſide, provided that no perſon be allowed to ſerve in the office of preſident more than one year in any term of three years—to aſcertain the neceſſary ſums of money to be raiſed for the ſervice of the United States, and to appropriate and apply the ſame for defraying the public expences—to borrow money or emit bills on the credit of the United States, tranſmitting every half year to the reſpective ſtates an account of the ſums of money ſo borrowed or emitted—to build and equip a navy—to agree upon the number of land forces, and to make requiſitions from each ſtate for its quota, in proportion to the number of white inhabitants in ſuch ſtate; which requiſition ſhall be binding, and thereupon the legiſlature of each ſtate ſhall appoint the regimental officers, raiſe the men, and cloath, arm and equip them in a ſoldier-like manner, at the expence of the United States; and the officers and

and men ſo cloathed, armed and equipped, ſhall march to the place appointed and within the time agreed on by the United States in Congreſs aſſembled: but if the United States in Congreſs aſſembled ſhall on conſideration of circumſtances, judge proper that any ſtate ſhould not raiſe men or ſhould raiſe a ſmaller number than its quota, and that any other ſtate ſhould raiſe a greater number of men than the quota thereof, ſuch extra number ſhall be raiſed, officered, cloathed, armed and equipped in the ſame manner as the quota of ſuch ſtate, unleſs the legiſlature of ſuch ſtate ſhall judge that ſuch extra number cannot be ſafely ſpared out of the ſame; in which caſe they ſhall raiſe, officer, cloath, arm and equip as many of ſuch extra number as they judge can be ſafely ſpared. And the officers and men ſo cloathed, armed and equipped ſhall march to the place appointed and within the time agreed on by the United States in Congreſs aſſembled.

The United States in Congreſs aſſembled ſhall never engage in a war nor grant letters of marque and repriſal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor aſcertain the ſums and expences neceſſary for the defence and welfare of the United States or any of them: nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of veſſels of war to be built or purchaſed, or the number of land or ſea forces to be raiſed, nor appoint a commander in chief of the army or navy, unleſs nine ſtates aſſent to the ſame; nor ſhall a queſtion on any other point, except for adjourning from day to day, be determined, unleſs by the votes of a majority of the United States in Congreſs aſſembled.

The Congreſs of the United States ſhall have power to adjourn to any time within the year and to any place within the United States, ſo that no period of adjournment be for a longer duration than the ſpace of ſix months and ſhall publiſh the journal of their proceedings monthly, except ſuch parts thereof relating to treaties, alliances or military operations as in their judgment require ſecrecy; and the yeas and nays of the delegates of each ſtate on any queſtion ſhall be entered on the journal, when it is deſired by any delegate; and the delegates of a ſtate or any of them, at his or their requeſt, ſhall be furniſhed with a tranſcript of the

ſaid journal. except ſuch parts as are above excepted, to lay before the legiſlatures of the ſeveral ſtates.

Article 10 The committee of the ſtates, or any nine of them, ſhall be authoriſed to execute, in the receſs of Congreſs, ſuch of the powers of Congreſs as the United Sates in Congreſs aſſembled by the conſent of nine ſtates ſhall from time to time think expedient to veſt them with; provided that no power be delegated to the ſaid committee, for the exerciſe of which, by the articles of confederation, the voice of nine ſtates in the Congreſs of the United States aſſembled is requiſite.

Article 11. Canada acceding to this confederation, and joining in the meaſures of the United States, ſhall be admitted into and entitled to all the advantages of this Union: but no other colony ſhall be admitted into the ſame unleſs ſuch admiſſion be agreed to by nine ſtates.

Article 12. All bills of credit emitted, monies borrowed, and debts contracted by or under the authority of Congreſs, before the aſſembling of the United States, in purſuance of the preſent confederation, ſhall be deemed and conſidered as a charge againſt the United States, for payment and ſatisfaction whereof the ſaid United States and the public faith are hereby ſolemnly pledged.

Article 13. Every ſtate ſhall abide by the determinations of the United States in Congreſs aſſembled on all queſtions which by this confederation is ſubmitted to them. And the articles of this confederation ſhall be inviolably obſerved by every ſtate, and the Union ſhall be perpetual; nor ſhall any alteration at any time hereafter be made in any of them; unleſs ſuch alteration be agreed to in a Congreſs of the United States, and be afterwards confirmed by the legiſlatures of every ſtate.

Theſe articles ſhall be propoſed to the legiſlatures of all the United States, to be conſidered, and if approved of by them, they are adviſed to authoriſe their delegates to ratify the ſame in the Congreſs of the United States; which being done, the ſame ſhall become concluſive.

Ordered, That the committee appointed to reviſe and arrange the articles of confederation have three hundred copies printed and lodged with the ſecretary, to be ſubject to the future orders of Congreſs.

Four

Four o'clock, P. M.

A letter of the 14th from G. Bryan, vice-president of the council of Pennsylvania, to the delegates of that state in Congress, together with sundry papers relative to Indian depredations on the western frontiers, was laid before Congress and read:

Ordered, That the same be referred to a committee of three; the members chosen Mr. Roberdeau, Mr. Harvie and Mr. Harnet.

Ordered, That Mr. R. H. Lee have leave of absence for the recovery of his health.

Resolved, That a committee of three be appointed to collect and digest the late useful discoveries for making molasses and spirits from the juice of corn stalks, and report a plan for communicating the said discoveries to the inhabitants of the several states.

The members chosen Mr. Gerry, Mr. Law, and Mr. Roberdeau.

Resolved, That a copy of a letter from J. Bradford, dated Boston October the 16th 1777, to the secret committee, be transmitted to the cloathier general, to the quartermaster general, and to the board of war; that the cloathier general without delay appoint a deputy in each state if he hath not already made such appointments; that the cloth for soldiers cloathing, mentioned in the said letter to be imported into Bedford for account of Congress be delivered to the cloathier general or his order; the bales of tents to the quartermaster general or his order; and that the board of war give directions respecting the arms mentioned in the said letter; that the receipts taken on the delivery be forthwith transmitted to the committee of commerce; that the cloathier general be directed immediately to give orders to his deputy for the state of Rhode-Island, to receive the said cloth for soldiers cloathing, and procure the making up the same into cloaths there or elsewhere, as soon as may be, and to forward them with the utmost dispatch to general Washington's army; that the cloathier general also write to the governor and council of the state of Rhode Island, requesting them, in case the person appointed by him as his deputy should decline acting, to appoint a suitable person for that purpose, and for forwarding the cloathing as above directed; and the said governor and council are requested to make such appointment accordingly, and to give every necessary aid to the above important business.

The

The committee appointed to consider the applications of foreign officers, &c. report;

"That they have had under consideration memorials of chevalier Crenis, monsr. Dorset, and chevalier de la Colombe, which were referred to them; that although they are sensible of the zeal and good intentions of the chevalier Crenis and monsr Dorset in their wishes to serve the United States, yet when they reflect upon the circumstances of the American army, and consider that the number of officers now in commission are greatly disproportionate to the soldiers to be commanded, they cannot venture to recommend the said chevalier Crenis as lieutenant colonel and monsieur Dorset as major in the service of the United States, which ranks are respectively desired by the gentlemen aforesaid.

That considering the expences these gentlemen have incurred, and the inability stated by monsieur Dorset of returning to his own country, they submit it to the wisdom of Congress, whether it may not be expedient to furnish the necessary aid for this purpose.

That with regard to the chevalier de la Colombe, for whom the marquis de la Fayette requests a captain's commission in the American service, the committee think the same may be granted.

The said report being read, and on the question to agree to the first paragraph,

Resolved in the affirmative.

The third paragraph being read,

Resolved, That a captain's commission be granted to the chevalier de la Colombe.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

MONDAY, *November* 17, 1777.

Mr. Edward Langworthy and Mr. Joseph Wood, two of the delegates from Georgia, attended and produced the credentials of their appointment, which were read as follows.

"State of Georgia. House of Assembly, Saturday January the 7th, 1777. The house proceeded to the choice of continental delegates, when it appeared that the following gentlemen were duly elected, viz. Nathan Brownson, Edward Langworthy, Joseph Wood, Lyman Hall, and George Walton, esquires. A true extract from the minutes, James Wood, junior, Cl. H. A."

Mr.

Mr. Dana, a delegate from Maſſachuſetts-Bay, and Mr. Ellery, a delegate from Rhode-Iſland, attended and took their ſeats in Congreſs.

Congreſs reſumed the conſideration of the ſecond paragraph in the report of the committee on the applications from foreign officers, &c. and it appearing that monſieur Dorſet had arranged himſelf and obtained the commiſſion of lieutenant among the officers who accompanied Mr. du Coudray, and who on the 15th of September laſt compoſed themſelves into a corps of volunteers under Mr. du Coudray, as a captain in the ſervice of the United States.

Reſolved, That two hundred dollars be preſented to monſieur Dorſet as a gratification for his ſervices and expences in America, and that a bill of exchange be drawn in his favour on the commiſſioners of Congreſs at the Court of France for nine hundred livres, to pay his paſſage to France and do defray his expences to Paris.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That the chevalier du Portail be appointed to the rank of brigadier general, monſ. de Laumoy and monſ. de la Radiere to that of colonel, and monſ. Gouvion to that of lieutenant colonel in the army of the United States; the ſaid gentlemen to be employed as heretofore in the capacity of engineers.

Sundry bills of exchange drawn by colonel Kennon, accompanyed with letters of advice of the 14th of April laſt from J. Rutledge, preſident of South-Carolina, were preſented to Congreſs.

Ordered, That they be referred to the board of treaſury.

Ordered, That Mr. Marchant have leave of abſence.

The committtee appointed to prepare a circular letter to accompany the articles of confederation, brought in the following draught:

IN CONGRESS, York-Town, November 17th, 1777.

Congreſs having agreed upou a plan of confederacy for ſecuring the freedom, ſovereignty and independence of the United States, authentic copies are now tranſmitted for the conſideration of the reſpective legiſlatures.

This buſineſs equally intricate and important has in its progreſs been attended with uncommon embarraſſments and delay, which the moſt anxious ſolicitude and perſe-

vering

vering diligence could not prevent. To form a permanent Union, accommodated to the opinion and wiſhes of the delegates of ſo many ſtates differing in habits, produce, commerce and internal police, was found to be a work which nothing but time and reflection, conſpiring with a diſpoſition to conciliate, could mature and accompliſh.

Hardly is it to be expected that any plan, in the variety of proviſions eſſential to our union, ſhould exactly correſpond with the maxims and political views of every particular ſtate. Let it be remarked that after the moſt careful enquiry and the fulleſt information, this is propoſed as the beſt which could be adapted to the circumſtances of all; and as that alone, which affords any tolerable proſpect of general ratification.

Permit us then earneſtly to recommend theſe articles to the immediate and diſpaſſionate attention of the legiſlatures of the reſpective ſtates. Let them be candidly reviewed under a ſenſe of the difficulty of combining in one general ſyſtem the various ſentiments and intereſts of a continent divided into ſo many ſovereign and independent communities, under a conviction of the abſolute neceſſity of uniting all our councils and all our ſtrength to maintain and defend our common liberties: let them be examined with a liberality becoming brethren and fellow citizens ſurrounded by the ſame eminent dangers, contending for the ſame illuſtrious prize, and deeply intereſted in being forever bound and connected together by ties the moſt intimate and indiſſoluble; and finally let them be adjuſted with the temper and magnanimity of wiſe and patriotic legiſlators who, while they are concerned for the proſperity of their own more immediate circle, are capable of riſing ſuperior to local attachments, when they may be incompatible with the ſafety, happineſs and glory of the general confederacy.

We have reaſon to regret the time which has elapſed in preparing this plan for conſideration; with additional ſolicitude we look forward to that which muſt be neceſſarily ſpent before it can be ratified. Every motive loudly calls upon us to haſten its concluſion.

More than any other conſideration, it will confound our foreign enemies, defeat the flagitious practices of the diſaffected, ſtrengthen and confirm our friends, ſupport our public credit, reſtore the value of our money, enable

us

us to maintain our fleets armies, and add weight and reſpect to our councils at home and to our treaties abroad.

In ſhort, this ſalutary meaſure can no longer be deferred. It ſeems eſſential to our very exiſtence as a free people, and without it we may be conſtrained to bid adieu to independence, to liberty and ſafety—bleſſings, which from the juſtice of our cauſe and the favour of our almighty Creator viſibly manifeſted in our protection we have reaſon to expect, if in an humble dependance on his divine providence we ſtrenuouſly exert the means which are placed in our power.

To conclude, if the legiſlature of any ſtate ſhall not be aſſembled, Congreſs recommend to the executive authority to convene it without delay; and to each reſpective legiſlature it is recommended to inveſt its delegates with competent powers ultimately in the name and behalf of the ſtate to ſubſcribe articles of confederation and perpetual union of the United ſtates: and to attend Congreſs for that purpoſe on or before the day of

On motion to fill up the blanks with "firſt" and "May next"

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
	Mr. Ellery,	*no*	
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*no*	
New-York,	Mr. Duane,	*no*	*
New-Jerſey,	Mr. Elmer,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Rumſey,	*no*	*
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it paſſed in the negative.

Resolved, That the first blank be filled with "tenth," and the second with "March next."

It was then moved, after "next" to add "if practicable;"

New-Hampshire,	Mr. Folsom,	*ay*	*ay*
Massachusetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr Lovell,	*ay*	
	Mr. Dana,	*ay*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
	Mr. Ellery,	*no*	
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Law,	*no*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*no*	*
New Jersey,	Mr. Elmer,	*no*	*no*
Pennsylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Rumsey,	*no*	*
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it passed in the negative.

The letter being agreed to,

Ordered, That thirteen copies be made out signed by the president, and forwarded to the several states, with copies of the confederation.

Four o'Clock, P M.

Resolved, That Mr. Dana, Mr. Ellery and Mr. Wood be appointed members of the marine committee, in the room of those from their respective states, who are absent or have leave of absence.

Resolved, That three members be added to the committee of appeals, in the room of Mr. President, Mr. J. Adams and Mr. Marchant:

Members chosen, Mr. Harvie, Mr. Dana and Mr. Ellery.

Resolved, That two members be added to the board of war;

The

The members chosen, Mr. Dana and Mr. J. B. Smith.

The several matters to this day referred being postponed adjourned to ten o'clock to-morrow.

TUESDAY, *November* 18, 1777.

A letter of the 12th from general Mifflin was read, declaring his acceptance of the appointment which Congress have been pleased to make of him as one of the new board of war.

A letter of the 2d from brigadier general Hand; one from Archibald Steel: and one of the 1st from J. Boreman at fort Pitt, to colonel G Morgan; one of the 10th from general Gates at Albany, with sundry papers inclosed; one of the 6th from Hezekiah Van Orden, with an affidavit inclosed; and one of the 5th from the council of safety of New-York; were read:

Ordered, That the letter from H. Van Orden, with the affidavit inclosed, be transmitted to governor Clinton of New-York.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania, in favour of William Henry, esquire, of Lancaster, for ten thousand dollars, for the purchase of shoes and leather for the use of the army, said William Henry to be accountable:

That a warrant issue on Josiah Clarke, esquire, commissioner of the loan-office for the state of Rhode-Island, in favor of the marine committee, for twenty thousand nine hundred and fifty dollars, to enable Daniel Tillinghast, esquire, to pay a balance due to the commissioners who built the frigates; the said committee to be accountable:

That four hundred dollars be advanced to brigadier general du Portail, for which he is to be accountable:

That fifty dollars be paid to R. H. Lee, esquire, pursuant to an order of P. Henry, esquire, governor of Virginia, for the transportation of the baggage of baron de Kalb from Williamsburgh to Yorktown, and charged to the account of the baron de Kalb:

That seven hundred dollars be advanced to Mr. Jonathan Elmer, a delegate for the state of New-Jersey, on his request, and charged to the said estate.

Four

Four o'clock, P. M.

Whereas Congreſs is informed that there is now in Yorktown a certain John Brown, who, after the enemy took poſſeſſion of Philadelphia, came out of that city, as he ſays, on private buſineſs, and obtained leave from our general to paſs into the country; that after going through a conſiderable part of this ſtate, he the ſaid John Brown returned to Philadelphia, and is again come out without a flag or paſs from any general or officer in the ſervice of the United States, pretending that he is charged with a verbal meſſage to Congreſs from general Howe; and whereas ſuch conduct adminiſters juſt grounds of ſuſpicion that he is employed by the enemy for purpoſes inimical to theſe ſtates:

Reſolved, That the board of war cauſe the ſaid John Brown to be arreſted and ſent under guard to the executive council of Pennſylvania, to be dealt with as they in their wiſdom may deem fit and proper.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

WEDNESDAY, *November* 19, 1777.

A letter of the 30th of October from E. Hancock, deputy paymaſter general in the Eaſtern department, with his monthly account; one of the 1ſt inſtant from B. Harriſon, deputy paymaſter general in Virginia, with his monthly account; were read:

Ordered, That it be referred to the board of treaſury.

A letter of the 11th from general Sullivan was read:

Ordered, That the letters from fort Pitt be referred to the committee on Mr. vice-preſident Bryan's letter of the 14th.

Ordered, That the return of ordnance, &c. taken from the enemy, which was incloſed in general Gates's letter of the 10th, and the letter from the council of ſafety of New-York, be referred to a committee of three.

The members choſen Mr. R. H. Lee, Mr. Duer, and Mr. Dana:

That the letter from general Gates, with the other papers incloſed, be referred to the board of war.

Congreſs being informed that there is a quantity of leather on the way to this town from North-Carolina,

Ordered,

Ordered, That the board of war purchaſe the ſame, and take meaſures to have it made into ſhoes for the uſe of the army.

Congreſs having received information, through various channels, that the American ſoldiers and other inhabitants of the United States of America, whom the fortune of war hath made priſoners to the Britiſh army under command of general Howe, are now impriſoned in Philadelphia, and treated with ſuch ſhocking inhumanity that numbers expire in the priſon yard for want of food; and whereas ſuch treatment of the American priſoners is not only inconſiſtent with the practice of civilized nations, but totally the reverſe of that humane treatment which the Britiſh priſoners have uniformly received in theſe ſtates.

Reſolved, That general Waſhington be deſired to make ſtrict enquiry into the truth of this information, and to report to Congreſs as ſoon as poſſible the reſult of his enquiries.

The board of war brought in a report, which was taken into conſideration; whereupon

Reſolved, That David Poe be appointed quartermaſter for the town of Baltimore in the ſtate of Maryland, in the room of, and for the purpoſe for which Jared Hopkins, who declines acting, was appointed.

Reſolved, That the reſolution paſſed the 2d of October laſt, for ſitting twice a day, be repealed, and that after this day Congreſs ſit but once a day; and that they meet preciſely at ten o'clock.

The committe on the treaſury brought in a report; whereupon.

Ordered, That three hundred thouſand dollars be advanced to the board of war, to be by them forwarded to William Palfrey, eſquire, paymaſter general, who is to be accountable.

That one thouſand dollars be advanced to the preſident, to pay expreſſes and other contingent expences, for which he is to be accountable; and that an authenticated copy of this order ſhall be a ſufficient voucher to the treaſurer for the payment of this ſum:

That a duplicate warrant in favour of Jonathan Trumbull, junior, eſquire, deputy paymaſter general, in the Northern department, iſſue on the loan office of the ſtate of Maſſachuſetts-Bay, for two hundred thouſand dollars.

to

to ſerve in caſe a warrant for the like ſum, in favour of Mr. Trumbull dated the 16th of October laſt, in conſequence of an order of Congreſs of the ſame day on the office aforeſaid, ſhould not be received by him.

Four o'Clock, P. M.

The medical committee brought in a report; whereupon

Reſolved, That the cloathier general be directed to deliver to the director general of the military hoſpitals, the deputy directors general, or their aſſiſtants, for the uſe of the ſick and wounded of the ſeveral departments, a proportionable ſhare of the blankets, ſhirts, ſhoes and ſtockings which he ſhall from time to time procure for the ſupply of the army.

That the director general of the hoſpitals be authoriſed to cauſe ſtoves to be erected in the different hoſpitals, in caſe he ſhall think ſuch a meaſure will conduce to make up for the preſent ſcarcity of blankets and cloathing or to the greater comfort of the ſick; and that the waggons annexed to the hoſpital department be employed as much as poſſible in the tranſportation of fuel for the reſpective hoſpitals.

A letter of the 6th from major general Mifflin to colonel R. H. Lee, on the ſubject of the quartermaſter's department, was read in Congreſs:

Ordered, That it be referred to the new board of war, ſo ſoon as they meet, and that they be directed to report a plan for conducting the buſineſs of the quartermaſter general.

The committee to whom were referred the letter from the vice-preſident of Pennſylvania and the letters from fort Pitt, brought in a report, which was taken into conſideration, and after debate,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow,

THURSDAY, *November* 20, 1777.

Congreſs reſumed the conſideration of the report of the committee on the letter from the vice preſident of Pennſylvania, and the letters from fort Pitt, which is as follows:

That

That an inroad has been made on the weſtern frontiers of Virginia and Pennſylvania by ſome ſavage tribes of Indians, wherein a number of helpleſs people have been cruelly maſſacred, and the peaceable inhabitants driven from their homes and reduced to great diſtreſs:

That from a number of papers ſtiled proclamations, under the hand and ſeal of Henry Hamilton, lieutenant governor of fort Detroit, left by the Indians where they committed their murders, and of which there is one now in the poſſeſſion of the committee, as well as from other information and circumſtances, it appears that theſe ſavages have been inſtigated by Britiſh agents and emiſſaries, and particularly by the ſaid H. Hamilton to this barbarous and murderous war—The committee apprehend, that ſo long as that poſt continues to be garriſoned by Britiſh troops, who are reſtrained by no laws of humanity from uſing every means to accompliſh their purpoſe of ſubjugating theſe ſtates, thoſe frontiers will be inceſſantly expoſed to the barbarous ravages of the Indian tribes under their influence—That by means of the ſaid agents and emiſſaries, a dangerous ſpirit of diſaffection has been excited and fomented among ſome worthleſs and evil diſpoſed perſons on the ſaid frontiers, who, loſt to all ſentiments of virtue, honor or regard for their country, have been induced to aid our remorſleſs enemy—That the Shawaneſe and Delaware Indians continue well affected and diſpoſed to preſerve the league of peace and amity entered into with us; for which reaſon they are threatened with an attack by their hoſtile neighbours, who have invaded us, and are at the ſame time expoſed to danger from the attempts of ill diſpoſed or ill adviſed perſons among ourſelves—The committee are therefore of opinion, that for the ſafety and ſecurity of the frontiers, as well to preſerve the public faith of theſe United States, plighted to our Indian allies, ſpeedy and effectual meaſures ought to be taken to ſuppreſs the ſpirit of diſaffection among our own deluded people, to repel and put a ſtop to the hoſtile invaſions of our enemies, to protect our Indian allies and confirm them in their good diſpoſition, and to remove, if poſſible, the cauſe from whence all the evils in that quarter ariſe: whereupon

Reſolved, That three commiſſioners be appointed to repair without delay to fort Pitt; that they be inſtructed

to

to inveſtigate the riſe, progreſs and extent of the diſſaffection in that quarter, and take meaſures for ſuppreſſing the ſame and bringing the deluded people to a ſenſe of their duty.

That the ſaid commiſſioners be inveſted with full powers to ſuſpend for miſconduct any officers in the ſervice of the United States, employed in that quarter, and appoint others in their room, and to confine in ſafe cuſtody all ſuch officers againſt whom they ſhall have ſatisfactory proof of being offenders againſt the rights and liberties of America.

That the ſaid commiſſioners be directed to cultivate the friendſhip of the Shawaneſe and Delawares, and prevent our people from committing any outrages againſt them.

That they be empowered to engage as many of the Delaware and Shawaneſe warriors in the ſervice of the United States as they judge convenient.

That they be empowered and directed, for effectually checking the progreſs of the enemy, to concert with brigadier general Hand a plan of carrying the war into the enemy's country, and cauſe the ſame to be executed with all convenient diſpatch.

And in order to prevent ſuch barbarous incurſions for the future, that the ſaid commiſſioners be empowered to cauſe the operations of the war to be extended againſt the Britiſh garriſon at Detroit, and its dependencies, provided the reduction of that fortreſs can in their opinion be effected at this ſeaſon of the year, and the whole can be accompliſhed by a force not exceeding two thouſand men, excluſive of Indian auxiliaries.

That it be earneſtly recommended to the legiſlative powers of Virginia and Pennſylvania to inveſt the commiſſioners with every neceſſary authority over their reſpective militias, to empower them to arreſt and commit for trial ſuch of their reſpective inhabitants on the weſtern frontiers as ſhall appear to have been concerned in any conſpiracy or plot againſt the United States; and otherwiſe to afford the ſaid commiſſioners ſuch aſſiſtance as ſhall be neceſſary to proſecute with vigor the meaſures that they may adopt in conſequence of theſe reſolutions.

Reſolved, That general Waſhington be requeſted to ſend colonel William Crawford to Pittſburgh, to take the command, under brigadier general Hand, of the continental troops and militia in the Weſtern department.

The

The committee appointed to enquire into the conduct of colonel G. Morgan brought in a report: whereupon

Resolved, That the case of colonel G. Morgan be included in the business referred to the consideration of the commissioners who are to be appointed for various purposes on the Western frontiers: that in the mean while colonel Morgan be restored to the appointment for Indian affairs, and that he be appointed deputy commissary general of purchases in the Western district.

A letter of this day from Alexander Gillon was read:

Ordered, That it be referred to the committee of commerce.

Congress proceeded to the election of commissioners to proceed to fort Pitt, and the ballots being taken,

Colonel Samuel Washington, Gabriel Jones, esquire, and colonel J. Reed, were declared to be elected.

It was then moved whether colonel J Reed, being elected by ballot, not being nominated to the office before the balloting was gone into, is elected agreeably to the usage and practice of Congress?

Resolved in the negative.

Colonel Reed being then nominated, Congress proceeded to a new election, and the ballots being taken,

Colonel Joseph Reed was elected.

Resolved That the hour of two, P. M. be fixed upon for the time of adjourning.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *November* 21, 1777.

A letter of the 17th from general Washington at Whitemarsh, with sundry papers inclosed; one of the 12th from R. H. Harrison, expressing his obligation to Congress for the honor done him in appointing him a member of the board of war, which from a sense of his being unequal to the various important duties of the office, he wishes to decline; one of the 13th from colonel T. Pickering, declaring his acceptance of the appointment of the board of war; and one of the 11th from governor Livingston of New-Jersey; were read:

Ordered, That the letter from P. Zantzinger to brigadier Wayne, inclosed in general Washington's letter, together with such part of the said letter as relates thereto, be referred to the board of treasury:

That the letter from general Washington, with the other papers inclosed, and the letter from governor Livingston, be referred to the board of war.

A petition from Thomas Moore, with an account inclosed, was read:

Ordered, That it be referred to the board of treasury, who are directed to report specially thereon.

A petition from sundry inhabitants of Sharpsburgh, and a memorial from sundry officers prisoners there; also a petition from John Sumner, were read:

Ordered, That they be referred to the board of war.

Resolved, That Silas Deane, esquire, be recalled from the court of France, and that the committee for foreign affairs be directed to take proper measures for speedily communicating the pleasure of Congress herein to Mr. Deane, and the other commissioners of the United States at the court of France.

Resolved, That Monday next be assigned for chusing a commissioner to the court of France in place of Silas Deane, esquire.

The committee to whom were referred the return of ordnance, &c. taken from the enemy and the letter from the council of safety of New-York, brought in a report, which was taken into consideration, and after debate,

Resolved, That it be re-committed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *November* 22, 1777.

A letter of the 21st from colonel G. Morgan was read: whereupon

Resolved, That the resolution of Congress of the 15th of October last, directing that no assistant purchasing commissaries be appointed for the Western district, be not extended to the temporary appointments of such officers, and that the commissary general of purchases be directed to authorise the deputy commissary general of purchases for the said district to make such appointments when he the said commissary general shall judge it necessary.

A letter of the 21st from W. Buchanan, commissary general of purchases, was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. Duer, Mr. Gerry and Mr. Roberdeau.

Ordered,

Ordered, That the committee attend immediately to this buſineſs, and that they confer with general Mifflin.

A letter from Monſieur Crenis was read:

Ordered, That the conſideration thereof be poſtponed.

A letter from Charlotte, wife of colonel Antil, was read:

Ordered, That it be referred to the board of war

The committeee to whom was re-committed their report on the return of ordnance and ſtores taken from the enemy ſince the 19th day of September, and the letter from the council of ſafety of New-York, report,

"That there is no mention in the ſaid return of ſtandards, military cheſt, medicines or tents; that the quantity of powder is very ſmall, being only fifteen barrels grained and two barrels mealed, and the quantity of fixed ammunition very inconſiderable—that the muſkets amount only to four thouſand ſix hundred and forty ſeven, a number not equal to the priſoners who ſurrendered agreeable to the convention of Saratoga, and all theſe muſkets are returned unfit for ſervice—that there are only ſix hundred and thirty eight cartouch boxes—that the number of the bayonets is greatly inferior to the muſkets, and theſe, as well as the cutlaſſes, are returned "without ſcabbards" or belts: in ſhort the whole return ſeems very inadequate to a well appointed army and to what might be expected from the anſwers returned by lieutenant general Burgoyne to the firſt propoſitions made by major general Gates: the committee therefore are of opinion, that an enquiry ought to be made into the cauſes of this deficiency: whereupon

Reſolved, That the preſident immediately ſend an expreſs to general Gates, and deſire anſwers to the following queſtions, viz.

What is become of the ſtandards belonging to the reſpective regiments in general Burgoyne's army?

Where is the military cheſt and the medicines?

What is become of the cartouch boxes?

How comes the quantity of powder and cartridges to be ſo ſmall?

How comes it that the number of muſkets is leſs than that of the priſoners, and that all the muſkets are unfit for ſervice?

How comes the number of bayonets to be ſo greatly inferior to that of the muſkets?

Where

Where are the ſcabbards and belts of the bayonets and cutlaſſes?

Was there any deſtruction, waſte, removal or concealment of the arms, tents, colours, treaſure, or other military ſtores, belonging to general Burgoyne's army, from the time the firſt propoſal was made on the 13th of October to the time of the ſurrender?

What was the ſtate and condition of the arms and military ſtores when received by general Gates?

Were the arms piled agreeably to the articles of convention? if they were not, did any damage neceſſarily accrue in conſequence of the failure?

And that general Gates be directed to make the neceſſary enquiries and return his anſwers to Congreſs as ſoon as poſſible.

Reſolved, That it is not to be underſtood that the embarkation of the troops under lieutenant general Burgoyne is in any wiſe to be delayed on account of the foregoing queries, if tranſports arrive before the anſwers are returned and the enquiry directed is finiſhed.

On conſidering the foregoing report, a motion was made,

"That a committee of be appointed to repair immediately to Albany to confer with general Gates on every particular reſpecting the execution of the convention of Saratoga on the part of general Burgoyne, and that as the baſis of their joint enquiries the following points to be particularly recommended; and then the queſtions to follow:

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Lovell,	*no*	*no*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Law,	*no*	*no*
	Mr. Williams,	*no*	
New-York,	Mr. Duer,	*ay*	*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Smith,	*no*	*no*
	Mr. Rumſey,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*divided.*
	Mr. Harnett,	*no*	

South-

South-Carolina	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

Another motion was made, after the words "and return his anſwer to Congreſs as ſoon as poſſible," to add the following paragraph—"And whereas it is probable that ſufficient evidence cannot be obtained in Albany touching the premiſes; reſolved that major general Heath be directed to collect all the evidence he can poſſibly procure concerning the ſtate of the arms, tents, ſtandards, treaſure, medicines, and other military ſtores belonging to general Burgoyne's army, before propoſals were made for entering into a convention, and whether there was any deſtruction, waſte, concealment, or removal of any of the above articles from the time when general Burgoyne's firſt propoſal was made on the 13th of October to the time of ſurrender; and that he tranſmit to Congreſs with all poſſible diſpatch, and properly authenticated, the evidence which he may ſo collect."

A previous queſtion was called for, whether that queſtion be now put,

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Lovell,	*no*	*no*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Law,	*no*	*no*
	Mr. Williams,	*no*	
New-York,	Mr. Duer,	*ay*	*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Smith,	*no*	*no*
	Mr. Rumſey,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*no*	
North Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

Congreſs having received information that the inſidious enemies of the United States of America have endeavoured to propagate in Europe falſe and groundleſs reports that a treaty had been held between Congreſs and

the

the commiſſioners of the king of Great-Britain, by which it was probable that a reconciliation would take place:

Be it declared and reſolved, that the commiſſioners of the ſaid United States at the ſeveral Courts in Europe be authoriſed to repreſent to the Courts at which they reſpectively reſide, that no treaty whatever has been held between the king of Great-Britain or any of his commiſſioners and the ſaid United States ſince their declaration of independance.

And whereas the cauſe of theſe United States may be greatly endangered, unleſs ſuch of the European powers as regard the rights of mankind ſhould interpoſe to prevent the ungenerous combination of other powers againſt the liberties of the ſaid ſtates:

Reſolved, That the commiſſioners of the United States at the ſeveral Courts in Europe be directed to apply to the reſpective Courts, and requeſt their immediate aſſiſtance for preventing a farther embarkation of foreign troops to America, and alſo to urge the neceſſity of their acknowledging the independance of theſe ſtates.

Reſolved, That all propoſals for a treaty between the king of Great-Britain, or any of his commiſſioners, and the United States of America, inconſiſtent with the independance of the ſaid ſtates, or with ſuch treaties or alliances as may be formed under their authority, will be rejected by Congreſs.

Reſolved, That the commiſſioners of the United States be ſeverally directed to communicate to the reſpective Courts the purport of their firſt and ſecond reſolutions, when they think it expedient, and to ſuſpend the laſt until upon a general conſultation of the commiſſioners a majority ſhall judge it neceſſary.

Congreſs reſumed the conſideration of the report from the board of treaſury of the 19th; whereupon

Reſolved, That the pay of Jonathan Trumbull, junior, eſquire, deputy paymaſter general of the Northern department, be augmented to one hundred and twenty five dollars per month.

That the ſum of one hundred and fifty dollars be allowed to Jonathan Trumbull, junior, eſquire, deputy paymaſter general of the Northern department, for his paſt extraordinary ſervices.

Reſolved, That the former board of war be authoriſed to proceed on the buſineſs of that department till ſuch time as a ſufficient number of the commiſſioners of the war office ſhall attend.

The

The committee to whom were referred the letter from the honorable Stephen Hopkins, and the proceedings of the committees from New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut and New-York, and for other purpoſes mentioned in a reſolution of Congreſs of the 10th of September laſt, brought in a report, which was taken into conſideration, and thereupon Congreſs came to the following reſolutions:

Purſued by the injuſtice and the vengeance of Great-Britain, theſe United States have been compelled to engage in a bloody and expenſive war. Amidſt every diſtreſs that may befall them, it will be their conſolation to appeal to Heaven for the rectitude of their meaſures; ſince they have had recourſe to arms, not from ambition or the luſt of power, but to reſiſt actual invaſion and boundleſs rapine, and to ſecure the common rights and privileges of human nature—the bleſſings of freedom and ſafety.

Aided by venal foreigners and domeſtic traitors, the war has been proſecuted by our implacable foes with their utmoſt force and vigor, and aggravated by more than ſavage barbarity.

Congreſs nevertheleſs, ſupported by the confidence of their fellow citizens, without burthening them with taxes or pecuniary contributions, have hitherto raiſed all the neceſſary ſupplies on the public faith.

To maintain our fleets and armies large ſums have been emitted in bills of credit, and the ſame method has been embraced by the reſpective ſtates to anſwer their internal wants. By theſe expedients, our paper currency, notwithſtanding the ſolid baſis on which it is founded, is multiplied beyond the rules of good policy. No truth being more evident, than that where the quantity of money of any denomination exceeds what is uſeful as a medium of commerce, its comparative value muſt be proportionably reduced. To this cauſe, conſpiring with the arts of our open and ſecret enemies, the ſhameful avidity of too many of our profeſſed friends, and the ſcarcity of foreign commodities are we to aſcribe the depreciation of our currency; the conſequences to be apprehended are equally obvious and alarming. They tend to the depravity of morals, the decay of public virtue, a precarious ſupply for the war, debaſement of the public faith, injuſtice to individuals, and the deſtruction of the honor, ſafety and independence of the United States.——

Loudly

Loudly therefore are we called upon to provide a ſeaſonable and effectual remedy. Bleſſed be God, they are not irremediable. The means of repreſſing them are ſtill in our power. Let the virtuous patriots of America reflect on the inеſtimable value of the prize for which we are contending. Hitherto ſpared from taxes, let them now with a cheerful heart contribute according to their circumſtances. Let the ſordid wretches, who ſhrink from danger and perſonal ſervice, and meanly prefer their own inglorious eaſe and emolument to the good of their country, be deſpiſed, and their ill-gotten wealth be abhorred as a diſgrace. Let the extortioners and oppreſſors be puniſhed; the ſecret traitor dragged to light; the neceſſities of the army attended to and relieved; and the quantity of money in circulation be reduced; and we ſhall ſoon ſee the public credit fully eſtabliſhed, and, with the continuance of the divine favour, a glorious termination of the preſent arduous conflict.

To promote theſe great and ſalutary purpoſes, Congreſs, upon mature deliberation and with the moſt earneſt ſolicitude, recommend the following propoſitions to the legiſlatures of the reſpective ſtates to be immediately adopted and carried into effect.

1. *Reſolved*, That it be moſt earneſtly recommended to the reſpective ſtates to raiſe in the courſe of the year 1778, commencing on the firſt day of January next, by quarterly payments, the ſum of five millions of dollars, by taxes, to be levied on the inhabitants of the reſpective ſtates in the proportions following, viz.

New-Hampſhire,	200,000 dollars,
Maſſachuſetts Bay	820,000
Rhode-Iſland and Providence Plantations,	100,000
Connecticut,	600,000
New-York,	200,000
New-Jerſey,	270,000
Pennſylvania,	620,000
Delaware,	60,000
Maryland,	520,000
Virginia,	800,000
North-Carolina,	250,000
South-Carolina,	500,000
Georgia,	60,000
	5,000,000

That

That the ſums to be aſſeſſed and to be raiſed ſhall not be conſidered as the proportion of any ſtate, but being paid into the treaſury ſhall be placed to their reſpective credit, bearing an intereſt of ſix per centum per annum from the time of payment, until the quotas ſhall be finally aſcertained and adjuſted by the Congreſs of the United States, agreeably to the confederation hereafter to be adopted and ratified by the ſeveral ſtates. And if it ſhall then appear that any ſtate is aſſeſſed more than its juſt quota of the ſaid tax, it ſhall continue to receive intereſt on the ſurplus, and if leſs it ſhall be charged with the intereſt on the deficiency until by a future tax ſuch ſurplus or deficiency ſhall be properly adjuſted.

2. *Reſolved*, That it be earneſtly recommended to the legiſlatures of the ſeveral ſtates to refrain from further emiſſions of bills of credit, and where there is a ſufficient quantity of continental bills of credit for the purpoſe of a circulating medium, forthwith to call in by loans or taxes and to cancel the paper money, ſmall bills for change under a dollar excepted, which ſuch ſtate has already emitted; and for the future to provide for the exigencies of war and the ſupport of government by taxes to be levied within the year, or ſuch other expedient as may produce a competent ſupply.

3. And whereas the obſtruction of the courſe of juſtice in any ſtate may not only prove injurious to its citizens but alſo to the circulation and credit of the currency of ſuch ſtate and of the United States:

Reſolved therefore, That it be recommended to the ſeveral ſtates forthwith to take effectual care that juſtice be duly adminiſtered within their reſpective juriſdictions, as well for the recovery of debts as for the puniſhment of crimes and miſdemeanors; provided that no ſuit or action ſhall be maintainable for the benefit of the enemies of theſe United States.

4. And whereas ſignal advantages have ariſen from the eſtabliſhment of continental loan-offices, on which Congreſs continue to place great dependence; in order therefore, as far as it is practicable to aſcertain the ſupplies for the war which may be raiſed in the ſeveral ſtates upon loan-office certificates.

Reſolved, That it be recommended to the legiſlatures, or, in the receſs of any of them, to the executive authority of the reſpective ſtates to cauſe ſubſcriptions to be opened under

the inſpection of one or more reſpectable citizens within each town or diſtrict, ſpecifying the names of the lenders and the ſums they are willing to lend, and that a copy of ſuch ſubſcription papers ſhall from time to time be delivered to the reſpective commiſſioners of the ſaid loan offices, and by them tranſmitted to Congreſs; provided that no certificate ſhall iſſue for leſs than two hundred dollars.

5 *Reſolved*, That it be recommended to the legiſlatures, or in their receſs to the executive powers of the reſpective ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania and Delaware, reſpectively, to appoint commiſſioners to convene at New-Haven in Connecticut, on the 15th day of January next; and to the ſtates of Virginia, Maryland and North-Carolina reſpectively, to appoint commiſſioners to convene at Frederickſburgh in Virginia, on the ſaid 15th day of January; and to the ſtates of South-Carolina and Georgia, reſpectively, to appoint commiſſioners to convene at Charleſtown on the 15th day of February next; in order to regulate and aſcertain the price of labour, manufactures, internal produce, and commodities imported from foreign parts, military ſtores excepted; and alſo to regulate the charges of inn-holders: and that on the report of the commiſſioners, each of the reſpective legiſlatures enact ſuitable laws, as well for the enforcing the obſervance of ſuch of the regulations as they ſhall ratify, and enabling ſuch inn-holders to obtain the neceſſary ſupplies, as to authoriſe the purchaſing commiſſaries for the army or any other perſon whom the legiſlatures may think proper, to take from any engroſſers, foreſtallers or other perſon poſſeſſed of a larger quantity of any ſuch commodities or proviſions than ſhall be competent for the private annual conſumption of their families, and who ſhall refuſe to ſell the ſurplus at the prices to be aſcertained as aforeſaid, paying only ſuch price for the ſame.

6. And in order to introduce immediate œconomy in the public expence, the ſpirit of ſharping and extortion and the rapid and exceſſive riſe of every commodity being confined within no bounds; and conſidering how much time muſt unavoidably elapſe before the plan directed by the preceding reſolution can be carried into effect,

Reſolved,

Resolved, That it be earnestly recommended to the respective legislatures of the United States without delay, by their separate authority, to adopt and effectually to enforce a temporary regulation of the prices of provisions and other commodities for the supply of the army, in such manner as they shall judge reasonable; and to continue in force until the general regulation before proposed shall be adopted.

Resolved, That the farther consideration of the report be postponed.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *November* 24, 1777.

A letter of the 9th from brigadier general Hand at fort Pitt, to the secretary of the board of war; one of the 11th from colonel Mason at Williamsburgh; one from brigadier de Roche Fermoy, with sundry papers inclosed; two from brigadier Conway, one of the 15th inclosing his commission which he begs leave to resign, the other directed to C. Carroll, esquire, or in his absence to the secretary of Congress; were read:

Ordered, That they be referred to the board of war.

A letter from Preeson Bowdoin, inclosing a bill of exchange drawn by W. Kennon, with a letter of advice from J. Rutledge, esquire, president of South Carolina, was read:

Ordered, That it be referred to the board of treasury.

The board of war report, "That they have had a conference with general Mifflin on the late establishment made by Congress for conducting the war department, and are unanimously of opinion, that a sufficient number of commissioners have not been appointed for giving due weight to the execution of the regulations which may be recommended by the board and adopted by Congress, and particularly for enabling one of the board of commissioners to visit from time to time the different armies, posts or garrisons, in order to see that the regulations adopted by Congress are carried into execution, and to examine what are the wants of the army and what defects or abuses prevail from time to time in the different departments:" thereupon

Resolved, That two additional commissioners be appointed to execute the department of the war-office, in pursuance of the

the reſolution of the 17th of October laſt, and that any three of the ſaid commiſſioners have full power to tranſact buſineſs; any thing in the former reſolutions reſpecting the board to the contrary notwithſtanding.

The committee to whom was referred a letter from William Buchanan, eſquire, commiſſary general of purchaſes, dated Yorktown, November the 21ſt 1777, report,

"That upon conferring with the commiſſary general upon the ſupplies of flour for the army in the middle diſtrict, he informed the committee, that he knew of no other magazines eſtabliſhed for this purpoſe than thoſe at Lancaſter and Yorktown; that he could not aſcertain the quantity of flour therein, but ſuppoſed the former contained one thouſand and the latter five thouſand barrels; that to tranſport theſe to the camp ſome teams were provided and perſons employed to procure as many more as were neceſſary; that theſe magazines would ſoon be exhauſted, the conſumption of the army being about two hundred barrels a day—that if by ſtormy weather or any accident the teams employed in this buſineſs were interrupted, he imagined the army would want bread—that he knew not where to purchaſe flour, as a ſcarcity had taken place in Pennſylvania from the backwardneſs of farmers to threſh out their wheat, or from the want of caſks by the draughts of coopers in the militia for reinforcing the army—that from the middle diſtrict he had his preſent ſupplies of beef for the army—that this reſource could not be laſting, and he had no expectation of immediate ſupplies from the Eaſtearn and Northern diſtricts—that he had employed ſome coopers to make barrels for ſalting pork, but that he was not able to aſſure the committee that a ſufficient number of theſe means would be procured, and that no pork was yet engaged, as the ſeaſon was not arrived for this buſineſs—that he could not inform the committee what or whether any meaſures were taken by the governor and council of ſafety of Connecticut, or executive council of Maſſachuſetts-Bay, to ſend ſalt up the North river agreeably to the requeſt of Congreſs of the 22d of October laſt—that if ſalt ſhould be ſent to the North river, he did not know where to obtain teams to tranſport it from thence, as ſome that he had ſent to camp and ordered on to the river were employed in the army: from all which circumſtances

ſtances the committee apprehend that the preſent proſpect of ſupplies of proviſion for the army in this diſtrict is very precarious, and unleſs more effectual meaſures are ſpeedily adopted, diſagreeable conſequences muſt neceſſarily follow. They are therefore of opinion, that the immediate attention of Congreſs to this buſineſs is neceſſary, and to remedy the preſent inconveniences have recommended to the commiſſary the advice of general Mifflin, namely, "to proceed to head-quarters, and hire twelve or more mills within ſix miles of, and covered by the army, to purchaſe or impreſs wheat in the ſheaf, if the farmers cannot be prevailed on to threſh for the troops; to ſolicit the general to ſpare one hundred and fifty men from the army for that purpoſe and ſet the mills to work." By theſe means a preſent ſupply may be obtained, which bad weather cannot prevent, and time will be gained for eſtabliſhing at Pottſgrove, Reading, Lancaſter, &c. magazines of flour for three months, in which time the new board of war will probably take up the buſineſs and give proper orders for the ſupplies of the next campaign."

The committee farther report "that the commiſſary general was gone to camp on this buſineſs, and that they have recommended to him, on his way, to apply to the executive council or aſſembly of Pennſylvania for ſuch aſſiſtance as ſhall be neceſſary: all which they ſubmit to Congreſs," whereupon

Reſolved, That Congreſs concur with the committee, and approve the advice given and the meaſures taken for the ſupply of the army.

Reſolved, That a committee of five be appointed to deviſe ways and means for providing a ſufficient ſupply of proviſions for the army:

The members choſen, Mr. Gerry, Mr. Roberdeau, Mr. Dyer, Mr. Harvie, and Mr. Smith.

The committee appointed to prepare a plan for eſtabliſhing a board to ſuperintend the departments of the commiſſaries and quartermaſter general, report,

That as a board of war, conſiſting of perſons not members of Congreſs, has been lately eſtabliſhed, and the late quartermaſter general is a member thereof, the committee are of opinion, that a conſiderable expence may be ſaved by adding to the board a perſon acquainted with the commiſſarial buſineſs, and authoriſing it to ſuperintend

intend each of the civil departments of the army: whereupon

Resolved, That Congress concur with the committee.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

TUESDAY, *November* 25, 1777.

The committee on the treasury brought in a report; whereupon

Ordered, That one thousand dollars be advanced by the auditor general to Nathaniel Folsom, esquire, delegate from New-Hampshire, on his application; the said state to be accountable:

That one hundred and twenty dollars be advanced by the auditor general to the chevalier de la Colombe, a captain in the army he to be accountable:

That four thousand three hundred and twenty-three dollars and 60-90ths be paid by the auditor general to Winslow and Ingraham, for a quantity of leather purchased of them by William Henry for public service; Mr. Henry to be accountable.

The commissioners for building ships of war in Virginia having represented to the marine committee the necessity of a guard being provided for the protection of the continental frigates now on the stocks in that state, against the efforts of the enemy's ships of war, five of which lie frequently within ten miles of the yard where the frigates are building, and the committee having taken the same into consideration, brought in a report, which was read, and thereupon

Resolved, That the governor and council of Virginia be requested to provide such a guard from time to time at the continental expence as may be deemed necessary by the said commissioners, upon consideration of circumstances for the protection of aforesaid; and also to furnish the said commissioners with arms and ammunition sufficient to enable the men working in the yard to assist the guard in repelling any attempt that may be made by the enemy for the destruction of the frigates aforesaid.

Resolved, That the commissioners aforesaid be authorised to prepare a few fire rafts for the better security of the said frigates, it being represented by the commissioners that such rafts may be of considerable service and fixed at no great expence.

Resolved,

Reſolved, That for the purpoſes of laying in proviſions and other expences of the ſaid yard, an order be drawn on the loan-office for the ſtate of Virginia, in favor of the marine committeee or their order, for ten thouſand dollars, to be remitted to the commiſſioners aforeſaid.

The board of war brought in a report; whereupon

Reſolved, That general Waſhington be directed to publiſh in general orders, that Congreſs will ſpeedily take into conſideration the merits of ſuch officers as have diſtinguiſhed themſelves by their intrepidity and their attention to the health and diſcipline of their men, and adopt ſuch regulations as ſhall tend to introduce order and good diſcipline into the army, and to render the ſituation of the officers and ſoldiers with reſpect to cloathing and other neceſſaries more eligible than it has hitherto been.

Reſolved, That governor Caſwell be deſired to appoint proper perſons within the ſtate of North Carolina to purchaſe with ſecrecy and diſpatch all the merchantable leather and deer ſkins in that ſtate proper for making ſhoes, breeches, ſaddles, harneſs and military accoutrements: that he be deſired to detain ſo much thereof as can be manufactured into ſhoes and breeches, within the ſpace of four months, ſending on to the cloathier general at Lancaſter in Pennſylvania the ſhoes and breeches, which may be made from time to time, and delivering the reſidue of the ſaid leather and ſkins to the order of the board of war:

That he be authoriſed to draw on the treaſury for ſuch ſums as ſhall be neceſſary for the execution of this buſineſs, and tranſmit the accounts of the prices given and quantities purchaſed to the board of war and cloathier general.

A petition from John Simpers was read, ſetting forth, "that his brother Thomas Simpers, of Cæcil county in the ſtate of Maryland, was taken into cuſtody at the Head of Elk in the ſaid county about the firſt week of September laſt, on ſuſpicion of having dealt with the Engliſh army then at Elk, and carried to the American army then in the Delaware ſtate, put in the provoſt guard and ſent from place to place, and is now confined in Eaſton jail in the ſtate of Pennſylvania, and praying that he may be returned back to Cæcil county, in order to undergo his trial for the ſuppoſed offence:" whereupon

Ordered,

Ordered, That the ſaid petition be referred to general Waſhington, and that he be directed to give orders that the priſoner be remanded to Cæcil county in the ſtate of Maryland, there to undergo his trial, agreeable to the laws of that ſtate; the priſoner to bear the expences of his removal.

Reſolved, That a committee of five be appointed to enquire in what manner the department of the cloathier general has been executed, and report ſuch regulations as they may judge neceſſary to be adopted for the better execution of that office;

The members choſen Mr. Harvie, Mr. Gerry, Mr. Dyer, Mr. Roberdeau and Mr. Duer.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſeventy-eight dollars be paid to Jean Baptiſt Mourgens, late a lieutenant in colonel Livingſton's regiment, raiſed in Canada, as a recompence for his extraordinary ſervices in Canada, performed by deſire of general Sullivan, and for his expences in performing the ſaid ſervices.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 26, 1777.

The board of war brought in a report; whereupon

Reſolved, That it be recommended to the commonwealth of Virginia to appoint proper perſons to re-inliſt the ſoldiers of their firſt nine regiments, whoſe times of ſervice are near expiring, and in failure thereof to take ſome ſpeedy and effectual courſe of ſupplying their places in the continental army; and Congreſs agree to allow the men inliſting for the war or three years the uſual bounty given to ſuch recruits.

Reſolved, That monſieur Fleury, in conſideration of the diſintereſted gallantry which he has manifeſted in the ſervice of the United States, be promoted to the rank of lieutenant colonel in the army.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania in favor of colonel Iſaac Melcher, barrackmaſter, for ten thouſand dollars, for the purchaſe of wood, candles, ſtraw,

ſtraw, &c. for the uſe of the barracks; the ſaid I. Melcher to be accountable.

Ordered, That one thouſand dollars be paid by John Gibſon, eſquire, auditor general, to the delegates of the ſtate of Connecticut, the ſame being advanced to that ſtate on the application of Mr. Williams and Mr. Law, two of its delegates; the ſtate to be accountable:

That thirty-five dollars and 48-90ths be paid by John Gibſon, eſquire, auditor general, to Thomas Hains and Frederick Severs, invalid ſoldiers, late belonging to the invalid regiment, diſcharged at their own requeſt, for two months and twenty-four days pay, due to each of them, as appears by colonel L. Nicola's certificates; the ſaid colonel Nicola to be accountable.

Congreſs reſumed the conſideration of the report of the committee on the letter from S. Hopkins, eſquire, &c. when the ſeventh article was agreed to as follows:

7. And whereas, notwithſtanding the large quantities of cloathing which have ſeaſonably been ordered from Europe for the armies of the United States, ſuch have been the obſtructions, from a variety of cauſes, that an adequate ſupply hath not been imported, and it is become neceſſary that immediate proviſion ſhould be made to defend the troops from the inclemency of the winter, and to prevent future diſappointments of the like nature, and that for this purpoſe the ſeveral ſtates ſhould be called upon for aſſiſtance;

Reſolved therefore, That it be earneſtly recommended to the ſeveral ſtates from time to time to exert their utmoſt endeavours to procure, in addition to the allowances of cloathing heretofore made by Congreſs, ſupplies of blankets, ſhoes, ſtockings, ſhirts, and other cloathing, for the comfortable ſubſiſtence of the officers and ſoldiers of their reſpective battalions; and to appoint one or more perſons to diſpoſe of ſuch articles to the ſaid officers and ſoldiers in ſuch proportions as the general officers from the reſpective ſtates, commanding in ſuch army, ſhall direct, and at ſuch reaſonable prices as ſhall be aſſeſſed by the cloathier general or his deputy, and be in juſt proportion to the wages of the officers and ſoldiers, charging the ſurplus of the coſt to the United States; and all cloathing hereafter to be ſupplied to the officers and ſoldiers of the continental army out of the public ſtores of the United States, beyond the bounties already granted, ſhall be charged at the like prices: the ſurplus to

be defrayed by the United States: provided that effectual meaſures be adopted by each ſtate for preventing any competition between their purchaſing agents and the cloathier general or his agents, who are ſeverally directed to obſerve the inſtructions of the reſpective ſtates relative to the prices of cloathing purchaſed within ſuch ſtate:"

On the queſtion to agree to this part of the report,

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr Lovell,	*ay*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*ay*	
	Mr. Williams,	*ay*	
New York,	Mr. Duane,	*ay*	*divided.*
	Mr. Duer,	*no*	
Pennſylvania,	Mr Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Smith,	*no*	*no*
	Mr. Rumſey,	*no*	
Virginia,	Mr. Jones,	*no*	*divided.*
	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it was reſolved in the affirmative.

Reſolved, That the farther conſideration of the report be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *November* 27, 1777.

A letter of the 23d from general Waſhington, incloſing copies of letters that paſſed between him and general Howe, relative to the exchange and treatment of priſoners, and alſo extracts of ſundry ſentences of courts-martial againſt officers, was read.

Congreſs reſumed the conſideration of the report of the committee on the letter from S. Hopkins, eſquire, &c. whereupon

8. *Reſolved*,

8. *Reſolved*, That it be earneſtly recommended to the ſeveral ſtates, as ſoon as may be, to confiſcate and make ſale of all the real and perſonal eſtate therein of ſuch of their inhabitants and other perſons who have forfeited the ſame and the right to protection of their reſpective ſtates; and to inveſt the money ariſing from the ſales in continental loan-office certificates, to be appropriated in ſuch manner as the reſpective ſtates ſhall hereafter direct.

Congreſs reſumed the conſideration of the reports and reſolutions reſpecting the new board of war, and colonel Harriſon's letter; whereupon

Reſolved, That the wiſh of colonel Harriſon be complied with, and that he be excuſed from ſerving as a member of the board of war, and that another be elected in his ſtead.

Congreſs then proceeded to the election of three commiſſioners for the board of war, and the ballots being taken,

Major general Gates, Joſeph Trumbull and Richard Peters, eſquires, were elected.

Reſolved, That major general Gates be appointed preſident of the board of war.

Reſolved, That Mr. preſident inform major general Gates of his being appointed preſident of the new conſtituted board of war, expreſſing the high ſenſe Congreſs entertain of the general's abilities and peculiar fitneſs to diſcharge the duties of that important office; upon the right execution of which the ſucceſs of the American cauſe does eminently depend; that he inform general Gates, that it is the intention of Congreſs to continue his rank as major general in the army, and that he officiate at the board or in the field as occaſion may require; and that the general be requeſted to repair to Congreſs with all convenient diſpatch to enter on the duties of his new appointment.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *November* 28, 1777.

A letter of the 7th from T. M'Kean to colonel J. Reed was laid before Congreſs and read:

Ordered, That it be referred to the board of war; and that they take ſuch meaſures as they judge proper in conſequence of the intelligence contained therein.

Reſolved unanimouſly, That a committee of three be appointed forthwith to repair to the army, and in a private confidential conſultation with general Waſhington to conſider of the

the beſt and moſt practicable means for carrying on a winter's campaign with vigour and ſucceſs—an object which Congreſs have much at heart—and on ſuch conſultation, with the concurrence of general Waſhington, to direct every meaſure which circumſtances may require for promoting the public ſervice.

The members choſen Mr. R. Morris, Mr. Gerry and Mr. Jones.

The committee on the treaſury brought in a report; whereupon

Ordered, That three thouſand and eighty dollars and 72-90ths be paid by John Gibſon, eſquire, auditor general, to the committee of commerce; the ſaid committee to be accountable:

That the following warrants iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office for the ſtate of Pennſylvania, viz.

One in favor of James Paxton, aſſiſtant commiſſary of iſſues, for two thouſand dollars, which ſum was advanced him by Mr. Smith, September the 19th; Charles Stewart, eſquire, commiſſary general of iſſues, to be accountable:

One in favor of Michael Hillegas, eſquire, continental treaſurer, for ſixty thouſand dollars, being ſo much put into his hands by Mr. Smith the 16th of October laſt; the ſaid Michael Hillegas to be accountable:

One in favor of Blair M'Clenaghan, for ſixteen thouſand four hundred dollars, to diſcharge an order of the continental navy board on William Alricks, their caſhier, dated September the 3d, for the payment of two ſhips purchaſed of the ſaid B. M'Clenaghan; the navy board to be accountable:

One in favor of John Gibſon, eſquire, auditor general, for forty-nine thouſand five hundred and ſixty-ſix dollars and 60-90ths, which ſum the ſaid T. Smith advanced at ſundry times on a warrant of Congreſs of the 14th of September laſt, drawn on Mr. Gibſon in favor of the executive council of the ſtate of Pennſylvania; the ſaid J. Gibſon to be accountable.

Ordered, That two hundred and ſeventy dollars be paid by John Gibſon, eſquire, auditor general, to the delegates of the ſtate of Georgia, for the uſe of the ſaid ſtate, and be conſidered as a part of the three hundred thouſand dollars ordered to that ſtate.

Ordered,

Ordered, That warrants iſſue on John Gibſon, eſquire, auditor general, for the following ſums, viz.

One in favor of the board of war for ſix thouſand dollars advanced by him to the ſaid board the 28th of September laſt, for the uſe of the Virginia militia, then on their march to join general Waſhington; the ſaid board to be accountable.

One in favor of major William Roberts, for eight hundred and ten dollars, advanced the 1ſt of October by the auditor general for the uſe of the Culpepper militia from the ſtate of Virginia, then on their march to join general Waſhington; the ſaid major Roberts to be accountable.

One in favor of Charles Thomſon, eſquire, for fifty-ſeven dollars and 6-90ths, for the pay due to W. H. Houſton, late deputy ſecretary of Congreſs, from the 1ſt to the 23d of September, and for porterage of papers of Congreſs, caſks, &c.

One in favor of Joſeph Nourſe, deputy ſecretary to the board of war, for his ſalary from the 10th of May to the 10th of November 1777, for three hundred and ninety dollars:

One in favor of William Govett, aſſiſtant auditor, for one hundred and ſixty-one dollars and 70-90ths, for ſundry expences with two waggons and the hire of one to Yorktown with the treaſury books, papers, money, &c. from Philadelphia to Briſtol, and round by Reading to Lancaſter, with his expences from Lancaſter to Reading and from thence to Yorktown, by order of Congreſs, with the waggons that had the public papers, and his expences from Philadelphia to Briſtol, by order of the board for money, and for ſundry contingent expences at Baltimore laſt winter.

Ordered, That a warrant iſſue on the treaſurer in favour of William Buchanan, eſquire, commiſſary general of purchaſes, for thirteen thouſand three hundred and thirty-three dollars and 30-90ths, for an advance made by the treaſurer to Colonel John Patten, deputy commiſſary of purchaſes at reading, the 25th of September laſt.

Ordered, That three hundred and ſeventy-five dollars be advanced to brigadier general de Roche Fermoy, for three months pay; he to be accountable.

Ordered,

Ordered, That there be paid to captain Peter Babb, or his order, eight hundred and eighty-seven dollars and 44-90ths, in full of his pay-roll of a company of militia from Frederick county Virginia, sent to relieve the soldiers of the 12th Virginia regiment, garrisoned at fort Pitt, from the 3d of April to the 3d of June following, inclusive; the warrant to issue on the auditor general.

Ordered, That a warrant issue in favor of the board of war, for three hundred thousand dollars, to be by them transmitted to William Palfrey, esquire, paymaster general, he to be accountable.

Resolved, That the salary of William Govett, assistant auditor general, be augmented and that henceforth he be allowed the same pay as a commissioner for auditing accounts.

Congress proceeded to the election of a Commissioner in the room of Silas Deane, esquire, and the ballots being taken.

John Adams esquire, a delegate in Congress from Massachusetts-Bay, was elected.

Resolved, That William Carmichael, esquire, be appointed secretary to the commissioners at the court of France.

Resolved, That an enquiry be made into the causes of the evacuation of fort Mercer on the river Delaware, and into the conduct of the principal officers commanding that garrison; and that a committee be appointed to report the mode of conducting the enquiry.

Resolved, That an immediate enquiry be made into the causes of the failure of the late expedition against Rhode-Island, and into the conduct of the principal officers conducting such expedition; and that a committee be appointed to report the mode of conducting such enquiry.

Resolved, That an enquiry be made into the loss of forts Montgomery and Clinton, in the state of New-York, and of fort Mifflin on the river Delaware in the state of Pennsylvania, and into the conduct of the principal officers commanding those forts; and that general Washington be directed to cause this enquiry to be made, and to transmit the proceedings of the court to Congress with all possible dispatch.

Resolved, That whenever any expedition which may be undertaken either by sea or land, by order or at the expence of the United States shall fail in the execution, or whenever any important post, fort or fortress, garrisoned and defended at the expence of the United States, shall be evacuated, or taken by the enemy, it be an established rule in Congress to institute an enquiry into the causes of the failure of such expedition

pedition, or into the loſs of ſuch poſt, fort or fortreſs, and into the conduct of the principal officer or officers conducting the expedition ſo failing, or commanding the poſt, fort or fortreſs ſo evacuated or taken by the enemy; the enquiry ſo inſtituted to be conducted in ſuch manner as Congreſs ſhall deem beſt adapted for the inveſtigation of truth in the reſpective caſes.

Reſolved, That the committee for conducting the enquiry into the cauſes of the evacuation of fort Mercer, and the failure of the expedition againſt Rhode-Iſland, conſiſt of three;

The members choſen, Mr. Duer, Mr. Dana, and Mr. F. L. Lee.

The committee appointed to deviſe ways and means for providing a ſufficient ſupply of proviſions for the army, brought in a report, which was read; whereupon

Reſolved, That a committee be appointed to repair forthwith to Lancaſter, to confer with the general aſſembly of the ſtate of Pennſylvania on the beſt means of providing immediate ſupplies and of eſtabliſhing ſufficient magazines of flour and pork for the army in this department; that they repreſent to the aſſembly the neceſſity of obtaining flour and pork barrels, and teams to tranſport ſalt from the North-River, and report thereon as ſoon as may be.

Reſolved, That a copy of the reſolution of Congreſs of the 22d of October and 3d of November, relative to the commiſſary's department, be tranſmitted to his excellency the governor and council of ſafety of the ſtate of Connecticut, who are requeſted to order the ſalt to be ſent from the eaſtern to the middle diſtrict agreeable to the reſolution firſt mentioned, to ſuch parts of the North-River and to the care of ſuch officer or perſon there as they ſhall judge expedient, and inform Congreſs or the commiſſary general of purchaſes thereof; and the governor and council aforeſaid are farther requeſted to take effectual meaſures for ſending immediate ſupplies of cattle to the army in the middle diſtrict; and to the priſoners quartered near Boſton; and to this purpoſe they are fully authoriſed to ſuperintend the deputy commiſſaries general of purchaſes and iſſues and their reſpective deputies or aſſiſtants in the eaſtern and northern diſtricts, and to remove and appoint others in the room of ſuch as ſhall refuſe or neglect to comply with their directions.

Reſolved, That general Heath be directed to take effectual care that freſh proviſions be iſſued to the priſoners in the eaſtern diſtrict, and that the ſalt proviſions be reſerved for the army of the United States for the next campaign.

Reſolved,

Resolved, That general Washington be directed to apply to general Howe for passports to convey provisions and wood to the British and German troops quartered, agreeably to the convention of Saratoga, in the neighbourhood of Boston, and that he send such passports by express to general Heath.

Resolved, That the commissary general of issues be directed to preserve the flour barrels of the army, and send them by the return waggons to the mills from whence supplies of flour may be sent to the army; that he save the pork and beef barrels, and as much of the salt therein as can be collected, and that for this purpose he employ a suitable number of coopers, and inform Congress of his proceedings herein.

Resolved, That the committee to repair to Lancaster consist of three;

The members chosen Mr. Roberdeau, Mr. Dyer and Mr. Penn.

The committee of commerce, to whom was referred the propofals of Alexander Gillon, esquire, contained in his letter of the 20th instant, report,

That they have conferred with Mr. Gillon on the subject, and are of opinion, that a sum of money not exceeding two hundred and fifty thousand dollars should be advanced to the said Alexander Gillon, esquire, or his attorney, annually for three years, if the war with Great-Britain shall continue so long; the said advances to be made by this committee or such other as may hereafter be appointed to superintend the continental commerce, in such sums and at such periods as may be necessary for accomplishing purchases of suitable produce or other articles to be remitted to Europe.

That the said Alexander Gillon, esquire, or his attornies shall purchase all the remittances they make, and charter or purchase ships suitable for transporting the same to Europe, on the best and most frugal terms in their power, and under such orders, restrictions and limitations as they may from time to time receive from the committee or board that superintend the continental commerce, who are to call for, examine and inspect the invoices and other accounts as often as they shall think necessary.

That the said Alexander Gillon shall forthwith repair to Europe, and purchase at proper places such cloathing, arms, ammunition and other articles as may from time to time be directed by the said committee or board of commerce, to the amount of the net proceeds of all the remittances he or his attornies in Europe shall there receive from his attornies in America, such

ſuch articles to be brought on the beſt terms and ſhipped for theſe United States, in ſuch ſhips or by ſuch conveyances as may be moſt likely to arrive ſafe; the ſaid Alexander Gillon to conform himſelf in the tranſaction of this buſineſs to the inſtructions he may receive from time to time from the committee or board of commerce, to which he is to give regular advice of all his proceedings:

That the cuſtomary mercantile commiſſions be allowed for purchaſing and making remittances, and on the ſale thereof in Europe and a commiſſion of five per cent. on the purchaſe and exportation of all the articles ordered from Europe, the ſaid commiſſions to be the only compenſation or benefit the ſaid Alexander Gillon or his attornies are to receive or derive to themſelves from this buſineſs, being deemed fully equivalent to the ſervices they are hereby required to perform:" whereupon

Reſolved, That the above report be accepted, and that the committee of commerce be authoriſed and directed to enter into a contract on behalf of the United States, with the ſaid Alexander Gillon, eſquire, agreeable to the tenor and terms thereof:

The yeas and nays on this queſtion as follows:

New Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Law,	*no*	
	Mr. Williams,	*ay*	
New-York,	Mr. Duane,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Morris,	*ay*	*no*
	Mr. Roberdeau,	*no*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Smith,	*ay*	*ay*
	Mr. Rumſey,	*ay*	
Virginia,	Mr. Jones,	*ay*	*divided.*
	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*no*	
	Mr. Harvie,	*ay*	
North Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,		
Georgia,	Mr. Langworthy,	*ay*	*ay*

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *November* 29, 1777.

A letter of the 16th from general Gates, with sundry papers inclosed; one of the 27th from J. Armstrong, aid de camp to general Gates, who brought the foregoing dispatches to Reading, and was there detained by sickness; and one of the 24th from W. Shippen, director general, at Bethlehem; were read:

Ordered, That a copy of general Gates's letter be sent to general Washington.

Resolved, That a committee of three be appointed to procure a translation to be made of the articles of confederation into the French language, and to report an address to the inhabitants of Canada, &c. &c.

The members chosen Mr. Duer, Mr. Lovell and Mr. F. L. Lee.

Resolved, That general Washington regulate the rank of major general Arnold, and brigadiers general Woodford and Scott, agreeably to the resolution of Congress of the 12th instant, confirming the principle adopted by the board of general officers on the 19th of August for settling the rank and precedence of officers, and that the commissions of those officers be called in and cancelled, and new commissions granted them in manner aforesaid.

Resolved, That the committee appointed to repair to the camp be instructed to intimate to general Washington that Congress are not willing to accept the resignation of colonel Spotswood.

Ordered, That Mr. Folsom have leave of absence for a few days for the recovery of his health.

The committee on the treasury brought in a report; whereupon

Ordered, That the following warrants be drawn on J. Gibson, esquire, auditor general, viz.

One in favor of colonel David Kennedy, for two thousand and sixteen dollars and 76-90ths, the amount of sundry provisions, wood, forage, &c. furnished the guards to the British prisoners in Virginia, and to the waggoners of the marching militia of the said state:

One in favor of colonel G. Morgan, for one thousand dollars, to be advanced to him for the boat department at fort Pitt.

The

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *December* 1, 1777.

A letter of the 26th of November from general Washington, inclosing a copy of a letter to him from general Howe, was read.

Congress having received information that general Howe, or general Burgoyne, by his direction, means to apply for leave to embark the troops surrendered by the convention of Saratoga at Rhode-Island or some part of the sound, which application, if made and complied with, may be attended with consequences highly injurious to the interest of these United States:

Resolved, That Mr. president inform general Gates, the council of Massachusetts-Bay, and major general Heath, that it is the resolution of Congress if any such application as before mentioned is made, that it be utterly rejected, and that the said troops, when they do embark, must be shipped from the port stipulated by the convention of Saratoga and no other.

Resolved, That general Washington be informed, it is highly agreeable to Congress that the marquis de la Fayette be appointed to the command of a division in the continental army.

Resolved, That the committee of commerce be directed to ship, with all dispatch, four thousand hogsheads of tobacco to the commissioners of the United States at the court of France, to enable them to comply with the contract they mention in their letter of the 12th of March last to have entered into with the farmers general of France.

Ordered, That the letter of the 23d, and that of the 26th of November, from general Washington, and the letter of November 16th from general Gates, with the several papers inclosed, be referred to the board of war.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania, for twenty thousand dollars, in favor of John Gibson, esquire, auditor general, to enable him to discharge a part of a warrant of Congress drawn on him in favor of the executive council

council of the said state; the said auditor general to be accountable:

That a warrant issue on the said Thomas Smith, esquire, in favor of doctor William Shippen, director general of the hospital, for fifty thousand dollars, for the use of his department; the said director general to be accountable.

That a warrant issue on the treasurer for fifty thousand dollars, in favor of doctor William Shippen, director general of the hospital, for the use of his department, and for which he is to be accountable:

That two hundred thousand dollars be advanced to William Buchanan, esquire, commissary general of purchases, for the use of his department, for which he is to be accountable:

That ten thousand dollars be advanced to colonel Benjamin Flower, commissary general of military stores, for the use of his department, and for which he is to be accountable.

Ordered, That a warrant issue on John Gibson, esquire, auditor general, in favor of Thomas Taylor, adjutant to the Georgia battalion, commanded by colonel White, for eight hundred dollars, the state of Georgia to be accountable, and the money to be considered as part of that directed to be sent to the said state:

That the following warrants issue in favor of major general Mifflin, quartermaster general, amounting to four hundred and fifty thousand dollars, for the use of his department, and for which he is to be accountable, viz.

One on Thomas Smith, esquire, commissioner of the loan-office for the state of Pennsylvania, for one hundred thousand dollars:

One on Derk Ten Broek, esquire, commissioner of the loan-office for the state of New-York, for one hundred and fifty thousand dollars:

One on Joseph Borden, esquire, commissioner of the loan-office for the state of New-Jersey, for one hundred thousand dollars.

And one on the continental treasurer for one hundred thousand dollars.

Ordered, That a warrant issue on John Gibson, esquire, auditor general, in favor of Frederick M'Donald, a soldier discharged at his own request from the invalid regiment,

ment, for eight dollars and 80-90ths, being for one month and ten days pay due to him as per colonel Nicola's certificate; the said colonel Nicola to be accountable.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *December* 2, 1777.

A letter of the 28th of November from the council of safety of Pennsylvania at Lancaster, with sundry papers inclosed, was read:

Ordered, That the same be referred to the board of war.

A motion being made for recommending to the states to call in all the paper money emitted by them respectively under the authority of the king of Great Britain; after debate,

Resolved, That the same be referred to a committee of four.

The members chosen, Mr. R. H. Lee, Mr. Dana, Mr. Duer and Mr. Duane.

The committe appointed to procure a translation of the articles of confederation—to prepare an address to the inhabitants of Canada, brought in a partial report, which was read:

Ordered, That the consideration thereof be postponed to Monday next.

Resolved, That a commission be made out for John Adams, esquire, similar to that heretofore granted to the commissioners at the court of France.

A motion was made for obtaining a loan of money:

Resolved, That it be referred to a committee of three.

The members chosen, Mr. Folsom, Mr. Duane, and Mr. Dana.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 3, 1777.

A letter of November the 1st from Joseph Trumbull, esquire, at Providence, and one of November the 6th from major general Spencer, with a copy of a letter written by him to Joseph Trumbull, esquire, late commissary general, and Mr. Trumbull's answer; also a letter from general Spencer to governor Cooke, were read.

Ordered,

Ordered, That the letter from Mr. Trumbull, and such parts of general Spencer's letter as relate to money, and the correspondence between him and Mr. Trumbull, together with the letters that passed between them, be referred to the board of treasury.

That such part of general Spencer's letter as relates to the expedition to Rhode-Island, together with the copy of the letter to governor Cooke, be referred to the Committee appointed to report the mode of conducting an enquiry into the cause of the failure of that expedition.

The committees to whom were referred the motions of yesterday, brought in their reports, which were taken into consideration; whereupon

Congress came to the following resolutions:

The quantity of paper money issued to defray the necessary expenees of the war having at length become so considerable as to endanger its credit, and Congress apprehending that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan-offices so fast as the urgent calls of war demand:

Resolved, That the commissioners at the courts of France and Spain be directed to exert their utmost endeavours to obtain by means most effectual to the end, a loan of two millions sterling, on the faith of the thirteen United States, for a term not less than ten years, with permission, if practicable, to pay the same sooner, if it shall be agreeable to these states, giving twelve months previous notice to the lender, of such intention to return the money, &c. &c.

Whereas it is the uniform practice of our enemies to pursue every measure which may tend to distract, divide and delude the inhabitants of these states; to effect which purposes they have, among other arts, promoted associations for supporting the credit of the public money struck under the authority and sanction of the King of Great-Britain, which associations are evidently calculated to sap the confidence of the public in the continental bills of credit and in those issued by the authority of the respective states, and to furnish a medium for carrying on a pernicious and traiterous commerce between the enemy and the citizens of these states:

Resolved,

Resolved, That it be earnestly recommended to the legislative authorities of the respective states forthwith to enact laws, requiring all persons within their respective states, who may be possessed of any bills of credit struck under the sanction and authority of the King of Great-Britain, on or before the 19th of April 1775, forthwith to deliver in the same to a commissioner or commissioners for that purpose to be appointed in each county of the respective states; authorising such commissioner or commissioners to give in exchange for any sum so paid in, continental money or bills of credit of their respective states; and to declare in the laws so to be enacted, that all bills of credit, under the description above mentioned, which shall not be so delivered in, within such reasonable time as the respective states shall for such purpose limit, shall thenceforth become utterly irredeemable.

A representation from captain W. Peery, of Lewistown to the board of war, was laid before Congress and read; whereupon

Congress came to the following resolution:

Whereas the situation of the enemy's ships and forces, and the arts and number of the malignants in the county of Sussex in the state of Delaware, have rendered the operation of the civil authority there utterly ineffectual, whereby it has become not only essential to the preservation of the independency of that state, but likewise to the general welfare of the United States, that the most vigorous measures should be forthwith pursued for repressing the arts and violence of the open and secret enemies of these states.

Resolved, That the board of war be authorised to pursue such measures for supporting the friends of America in the county of Sussex in the state of Delaware, and for curbing the spirit and checking the evil designs of the disaffected, as they shall deem most effectual.

Whereas the baron de St. Ouary, a gallant gentleman from France, engaged as a volunteer in the service of the United States, was lately by the fortune of war made prisoner by the British troops.

Resolved, That general Washington be directed to propose to general Howe that the baron de St. Ouary be permitted to return from captivity, agreeably to the practice of Europe respecting volunteers: if general Howe shall refuse this, that it be proposed to take the baron's parole for his enlargement

largement, Congreſs engaging, when an exchange takes place, to return a Britiſh officer for the baron de St. Ouary: and that general Howe be informed, if neither of theſe propoſitions be accepted, that it is expected the gentleman be treated as a priſoner of war, having reſpect to his merit and rank in the French army.

The committee on the treaſury brought in a report; whereupon

Ordered That the following warrants iſſue on John Gibſon, eſquire. auditor general, viz.

One in favour of colonel George Morgan, for three thouſand one hundred and thirty four dollars and 86-90th, advanced as the balance of his account for building boats, purchaſing canoes, and carpenters wages, &c. at fort Pitt, excluſive of fifty ſix pounds two ſhillings and ten pence half-penny, charged by Thomas Lawrence as a commiſſion on goods purchaſed by him for the ſaid ſervice, and for paying carpenters wages; which charge is reſerved for conſideration; ſaid colonel Morgan to be accountable:

One in favor of Thomas Butler, continental armourer, for eighteen hundred dollars, advanced for the uſe of his department, he to be accountable.

One in favor of captain W. Peery, advanced for the uſe of his independent company ſtationed at Lewiſtown; ſaid captain Peery to be accountable.

One in favor of colonel Thomas Polke, for two thouſand three hundred and eighty ſeven dollars and 72-90ths, being the hire of two waggons and the purchaſe of one waggon and four horſes, as appears by the certificate of Joſeph Thornburgh, waggonmaſter general, and Jacob Hiltzeimer, agent for waggons; the ſaid ſum to be accounted for by major general Mifflin, quartermaſter general.

Ordered, That a warrant iſſue on the commiſſioner of the continental loan office in the ſtate of South-Carolina, in favor of colonel Thomas Polke, or his order, for ſix thouſand two hundred and fifty dollars, borrowed from him by brigadier general Moore, and repreſented by the ſaid brigadier Moore to have been lodged in the hand of William Kennon, for the uſe of the troops in the Southern department, as appears by a letter from the ſaid brigadier to Congreſs, dated the 9th of February laſt, and a bill drawn by him on the continental treaſurer in favour of colonel Polke,

Polke, for the said sum, which is to bear interest from the 7th of July last, when it was tendered for payment, and to be charged to the executors of the said brigadier general Moore, who are to be accountable.

Resolved, That one million of dollars be emitted under the direction of the treasury board and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 7th of November last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations:

15,384	bills of	3	dollars
15,384	do. of	4	do.
15,384	do. of	5	do.
15,384	do. of	6	do.
15,384	do. of	7	do.
15,385	do. of	2	do.
15,385	do. of	8	do.
15,385	do. of	30	do.

That all powers and duties of Michael Hillegas, esquire, and of the inspectors of the press, signers and printers of the emission, directed on the 20th of May last, shall extend to the said one million to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

Resolved, That three members be added to the board of treasury;

The members chosen Mr. Dana, Mr. Rumsey and Mr. Jones.

Resolved, That Mr. Dana be excused from attending the board of war, that he may attend the duties of the treasury board.

Ordered, That Mr. Law, Mr. Williams and Mr. Duane have leave of absence.

The committee for Indian affairs, to whom were referred a letter from the president of South-Carolina and sundry other papers, having taken the same into consideration, reported a speech to the Six Nations and instructions to the commissioners for Indian affairs in the Northern department, which were taken into consideration and agreed to as follows:

Brothers,

Sachems, and warriors of the Six Nations;

The great council of the United States call now for your attention. Open your ears, that you may hear, and your hearts that you may underſtand.

When the people on the other ſide of the great water, without any cauſe, ſought our deſtruction and ſent over their ſhips and their warriors to fight againſt us, and to take away our poſſeſſions, you might reaſonably have expected us to aſk for your aſſiſtance. If we are enſlaved, you cannot be free. For our ſtrength is greater than yours. If they would not ſpare their own brothers, of the ſame fleſh and blood, would they ſpare you? If they burn our houſes and ravage our lands, could yours be ſecure?

But, brothers, we acted on very different principles. Far from deſiring you to hazard you lives in our quarrel, we adviſed you to ſit ſtill in eaſe and peace. We even entreated you to remain neuter: and under the ſhade of your trees and by the ſide of your ſtreams to ſmoke your pipe in ſafety and contentment. Though preſſed by our enemies, and when their ſhips obſtructed our ſupplies of arms and powder and cloathing, we were not unmindful of your wants. Of what was neceſſary for our own uſe, we cheerfully ſpared you a part. More we ſhould have done, had it been in your power.

Brothers,

Cayugas, Senecas, Tuſcororas and Mohawks:

Open your ears and hear our complaints. Why have you liſtened to the voice of our enemies? why have you ſuffered Sir John Johnſon and Butler to miſlead you? why have you aſſiſted general St. Ledger and his warriors from the other ſide of the great water by giving them a free paſſage through your country to annoy us; which both you and we ſolemnly promiſed ſhould not be defiled with blood? why have you ſuffered ſo many of your nations to join them in their cruel purpoſes? Is this a ſuitable return for our love and kindneſs, or did you ſuſpect, that we were too weak or too cowardly to defend our country and join our enemies, that you might come in for a ſhare of the plunder? what has been gained by this unprovoked treachery? what but ſhame and diſgrace! your fooliſh warriors and their new allies have been defeated and driven back in every quarter; and many of them juſtly paid the price of their raſhneſs with their lives. Sorry are we to find that our ancient chain of union, heretofore ſo ſtrong and bright, ſhould be broken by ſuch poor and weak inſtruments

inſtruments as Sir John Johnſon and Butler, who dare not ſhew their faces among their countrymen, and by St Leger, a ſtranger whom you never knew! what are become of the ſpirit, the wiſdom and the juſtice of your nations? is it poſſible that you ſhould barter away your ancient glory, and break through the moſt ſolemn treaties for a few blankets or a little rum or powder? that trifles ſuch as theſe ſhould prove any temptation to you to cut down the ſtrong tree of friendſhip, by our common anceſtors planted in the deep bowels of the earth at Onondaga your central council fire! that tree which has been watered and nouriſhed by their children until the branches had almoſt reached the ſkies! as well might we have expected, that the mole ſhould overturn the vaſt mountains of the Alleghany, or that the birds of the air ſhould drink up the waters of Ontario!

Brothers,

Cayugas, Senecas, Onondagas and Mohawks!

Look into your hearts and be attentive. Much are you to blame, and greatly have you wronged us. Be wiſe in time. Be ſorry for and amend your faults. The great council, though the blood of our friends who fell by your tomhawks at the German Flats, cries aloud againſt you, will yet be patient. We do not deſire to deſtroy you. Long have we been at peace; and it is ſtill our wiſh to bury the hatchet and wipe away the blood, which ſome of you have ſo unjuſtly ſhed. Till time ſhould be no more, we wiſh to ſmoke with you the calamet of friendſhip around your central fire at Onondaga. But, Brothers, mark well what we now tell you. Let it ſink deep as the bottom of the ſea, and never be forgotten by you or your children. If ever again you take up the hatchet to ſtrike us—if you join our enemies in battle or council—if you give them intelligence, or encourage or permit them to paſs through your country to moleſt or hurt any of our people,—we ſhall look on you as our enemies, and treat you as the worſt of enemies, who under a cloak of friendſhip cover your bad deſigns, and like the concealed adder only wait for an opportunity to wound us, when we are moſt unprepared.

Brothers,

Believe us who never deceive. If after all our good council and all our care to prevent it, we muſt take up the hatchet,

the

the blood to be ſhed will lie heavy on your heads. The hand of the Thirteen United States is not ſhort. It will reach to the fartheſt extent of the country of the Six Nations; and while we have right on our ſide, the good ſpirit, whom we ſerve, will enable us to puniſh you and put it out of your power to do us farther miſchief.

Brothers, Oneidas and Tuſcororas,

Hearken to what we have to ſay to you in particular: It rejoices our hearts, that we have no reaſon to reproach you in common with the reſt of the Six Nations. We have experienced your love, ſtrong as the oak, and your fidelity, uncheangeable as truth. You have kept faſt hold of the ancient covenant chain and preſerved it free from ruſt and decay, and bright as ſilver. Like brave men, for glory you deſpiſed danger—you ſtood forth, in the cauſe of your friends, and ventured your lives in our battles. While the ſun and moon continue to give light to the world we ſhall love and reſpect you. As our truſty friends we ſhall protect you; and ſhall at all times conſider your welfare as our own.

Brothers of the Six Nations,

Open your ears and liſten attentively. It is long ago that we explained to you our quarrel with the people on the other ſide of the great water. Remember that our cauſe is juſt; you and your forefathers have long ſeen us allied to thoſe people in friendſhip. By our labour and induſtry they flouriſhed like the trees of the foreſt and became exeeedingly rich and proud. At length nothing would ſatisfy them, unleſs like ſlaves we would give them the power over our whole ſubſtance. Becauſe we would not yield to ſuch a ſhameful bondage, they took up the hatchet. You have ſeen them covering our coaſts with their ſhips, and a part of our country with their warriors: but you have not ſeen us diſmayed; on the contrary you know, that we have ſtood firm like rocks and fought like men, who deſerved to be free. You know that we have defeated St. Ledger and conquered Burgoyne and all their warriors Our chief men and our warriors are now fighting againſt the reſt of our enemies, and we truſt that the good ſpirit will ſoon put them in our power, or enable us to drive them all far beyond the great waters.

Brothers,

Believe us that they feel their own weakneſs and that they are unable to ſubdue the Thirteen United States. Elſe why have

have they not left our Indian brethren in peace as they firſt promiſed and we wiſhed to have done. Why have they endeavoured by cunning ſpeeches by falſhood and miſrepreſentations, by ſtrong drink and preſents to embitter the minds and darken the underſtandings of all our Indian friends on this great continent from the north to the ſouth, and to engage them to take up the hatchet againſt us, without any provocation? The Cherokees, like ſome of you, were prevailed upon to ſtrike our people. We carried the war into their country and fought them. They ſaw their error, they repented, and we forgave them. The United States are kind and merciful, and wiſh for peace with all the world. We have therefore renewed our ancient covenant chain with that nation.

Brothers,

The Shawaneſe and Delawares give us daily proofs of their good diſpoſition and their attachment to us: and are ready to aſſiſt us againſt all our enemies. The Chickaſaws are among the number of our faithful friends. And the Choctaws though remote from us, have refuſed to liſten to the perſuaſions of our enemies, rejected all their offers of corruption, and continue peaceable. The Creeks are alſo our ſteady friends. Oboylaco their great chief, and the reſt of the ſachems and warriors, as the ſtrongeſt mark of their ſincere friendſhip, have preſented the Great Council with an eagle's tail and rattle trap. They have deſired that theſe tokens might be ſhewn to the Six Nations and their allies, to convince them that the Creeks are at peace with the United States. We therefore have directed our commiſſioners to deliver them into your hands. Let them be ſeen by all the nations in your alliance, and preſerved in your central council houſe at Onondaga.

Brothers,

Sachems and Warriors of the Six nations!

Hearken to our council. Let us who are born on the ſame great continent, love one another. Our intereſt is the ſame, and we ought to be one people, always ready to aſſiſt and ſerve each other. What are the people who belong to the other ſide of the great water to either of us? they never come here for our ſakes; but to gratify their own pride and avarice. Their buſineſs now is to kill and deſtroy our inhabitants, to lay waſte our houſes and farms The day we truſt will ſoon arrive, when we ſhall be rid of them forever. Now is the time to haſten and ſecure this happy event. Let us then from this moment join hand and heart in the defence of our common country. Let us riſe as one man and drive away our cruel oppreſſors. Henceforward let none be able to ſeparate

us

us. If any of our people injure you, acquaint us of it and you may depend upon full satisfaction. If any of yours hurt us, be you ready to repair the wrong or punish the aggressor. Above all shut your ears against liars and deceivers, who like false meteors strive to lead you astray and to set us at variance. Believe no evil of us till you have taken pains to discover the truth. Our council fire always burns clear and bright in Pennsylvania. Our commissioners and agents are near your country. We shall not be blinded by false reports or false appperances.

Brothers,

What may be farther necessary at this time for our common good, you will learn from our commissioners, who sit round our council fire at Albany. Hear what they say, and treasure it up in your hearts. Farewell.

From our Great Council Fire in Pennsylvania the 3d day of December, 1777. By order of Congress.

INSTRUCTIONS to the commissioners for Indian affairs in the Northern department.

The glorious successes of our arms in the North, and the severe chastisement which the unfriendly Indians have received, will dispose the Six Nations to dread our resentment, and to value our protection. While they are under these impressions will be the proper season to urge them to some decisive enterprize, which will effectually tie them to our cause and promote the public service.

Congress have therefore sent them a speech, which is to be communicated to the different nations, and their feelings upon it attentively watched; and every possible advantage derived to the states from favorable circumstances.

Congress have at present two great objects in view from their assistance, &c. &c.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *December* 4, 1777.

A letter of the 30th of November from J. Reed, esquire, was read, wherein he expresses his desire of being excused from the office of commissioner to the western frontiers:

Resolved, That he be excused.

A letter of the 1st from general Washington, and one of the same date from brigadier general Varnum, were read:

Ordered, That they be referred to a committee of five;

The

The members chosen, Mr. R. H. Lee, Mr. Duer, Mr. Dana, Mr. Duane and Mr Harvie.

Ordered, That the report of the board of treasury on the regulations for the payment of the army, be referred to the new board of war.

The board of war brought in a report; whereupon Congress came to the following resolution:

Whereas experience hath evinced that the laws which have been enacted in the state of Pennsylvania, permitting the furnishing of substitutes to perform militia duty, have not only tended to impede the march of the militia on critical occasions, but likewise to impede the recruiting service, and to encourage desertions from the continental army:

Resolved, That it be submitted to the consideration of the legislature of the commonwealth of Pennsylvania, forthwith to repeal the clause in the said laws which permits the hiring of substitutes to perform militia duty; and in lieu thereof to impose and lay such fines on those persons who neglect or refuse to march when called forth on duty, as the said legislature shall deem adequate to personal service; the fines so levied to be appropriated as a fund for granting such additional bounties to continental recruits as the legislature may deem expedient, in order to compleat the deficiencies in their quota of continental troops.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on John Gibson, esquire, auditor general, in favor of Michael Hillegas, esquire, for three hundred and eighty dollars, being for cash he advanced to lieutenant Allen, and the price of a horse and chair to convey three hundred thousand dollars to North-Carolina in July last; the same to be accounted for by the state of North-Carolina, and to be considered as a part of the five hundred thousand dollars appropriated for the use of that state.

That a warrant issue on John Gibson, esquire, auditor general, in favor of lieutenant John Allen, for ninety dollars and 60-90ths, the balance of his expences to and from North-Carolina with three hundred thousand dollars to that state in July last; the state to be accountable, and the sum to be considered as a part of the five hundred thousand dollars ordered to that state.

That a warrant issue on John Gibson, esquire, auditor general, in favour of John Brown, for his services as clerk to the secret committee from March 18th, 1776, to July 21st, 1777, at fifty dollars a month, eight hundred and five dollars.

A memorial

A memorial from John Connolly, a priſoner in York-Town gaol, was read:

Ordered, That it be diſmiſſed.

Reſolved, That it be earneſtly recommended to the legiſlatures of the ſtates of New Hampſhire, Maſſachuſetts Bay, Connecticut and New York, to take effectual meaſures for the preſervation of all pine timber growing within their reſpective territories, which may be ſuitable and uſeful for maſts or other purpoſes of navigation, and for preventing any waſte or deſtruction of that valuable kind of timber.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

FRIDAY, *December* 5, 1777.

Mr. Francis Lewis, a delegate from New-York, attended and took his ſeat.

A letter the 25th of November from general Gates at Albany, with ſundry papers incloſed relative to the enemy's retreat from Ticonderoga and Mount Independence, was read:

Ordered, That the ſame be referred to the committee of intelligence.

A letter of the 26th of November from Captain John Barry, was read, incloſing the proceedings of a court-martial held on board the ſhip Lyon the 25th of November:

Ordered, That the ſame be referred to the marine committee.

A motion being made and for ſome time debated,

Ordered, That the ſame be referred to a committee of three.

The members choſen Mr. Dana, Mr. Duer and Mr. Harvie.

The committee on the treaſury brought in a report; whereupon

Ordered, That fifty thouſand dollars be paid to James Meaſe, eſquire, cloathier general, for the uſe of his department; and

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office for the ſtate of Pennſylvania, in favor of James Meaſe, eſquire, cloathier general, for twenty thouſand dollars, for the uſe of his department, for both which ſums he is to be accountable.

Ordered, That twenty-four hundred dollars be paid to captain William Peery, for recruiting and paying an independent company to be ſtationed at Lewiſtown, agreeable to the determination of the board of war; captain Peery to be accountable.

Ordered, That that a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the loan-office for the ſtate of Maſſachuſetts-

fachuſetts-Bay, in favor of the marine committee, for fifty thouſand dollars, to be tranſmitted to the navy board at Boſton; the ſaid marine committee to be accountable:

That a warrant iſſue on Joſeph Clarke, eſquire, commiſſioner of the loan-office for the ſtate of Rhode-Iſland, in favor of the marine committee, for fifty thouſand dollars, to be tranſmitted to the navy board at Boſton; the ſaid committee to be accountable.

Ordered, That eighty-four dollars and 48-90ths be paid to Martin Breniery, door-keeper, for his attendance from October the 4th to December the 1ſt, and for cleaning the rooms, &c.

That one thouſand and ninety-four dollars be paid to Robert Towers, for his ſervices acting as commiſſary of military ſtores and continental armourer from November the 19th, 1775, to May the 19th, 1777, agreeable to a reſolution of Congreſs, paſſed the 18th of September laſt.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *December* 6, 1777.

A memorial from baron de Fry was read:

Ordered, That the conſideration thereof be poſtponed.

The board of war brought in a report, which was read, and after debate,

Ordered, That the further conſideration thereof be poſtponed to Monday.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *December* 8, 1777.

A letter of the 6th from general Steven was read.

A letter from the chevalier de Failly, with a letter in his favor from general Gates; alſo a petition from Michael Welſh; were read:

Ordered, That theſe be referred to the board of war.

Sundry intercepted letters from Owen Jones, junior, to ſundry perſons at Lancaſter, were laid before Congreſs:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Ellery, Mr. Duer and Mr. Harvie.

Whereas it is of the greateſt importance that Congreſs ſhould at this critical juncture be well informed of the ſtate

of Europe; and whereas Congreſs have reſolved that the honorable Silas Deane, eſquire, be recalled from the court of France, and have appointed another commiſſioner to ſupply his place there:

Ordered, That the committee for foreign affairs write to the honorable Silas Deane, eſquire, and direct him to embrace the firſt opportunity of returning to America, and upon his arrival to repair with all poſſible diſpatch to Congreſs.

Congreſs reſumed the conſideration of the report from the board of war; whereupon

Reſolved, That general Waſhingon be informed, that general Howe's anſwer to his letter of the 14th and 23d of November, remonſtrating againſt the inhuman treatment of the American priſoners, is in the opinion of Congreſs by no means explicit and ſatisfactory; ſince it does not invalidate the truth of the depoſitions of Joſeph Cloyd and William Dewees, citizens of the commonwealth of Pennſylvania, and ſtrongly implies general Howe's intentions of making a diſtinction in treatment betwen perſons taken in arms and the faithful and liege citizens of theſe ſtates, who by ſtratagem or the fortune of war may fall into his power—an intention not only ſubverſive of the principles of humanity, but inconſiſtent with the ſpirit of general Howe's former ſentiments on the ſubject, as expreſſed in his letter dated Staten-Iſland, Auguſt the 1ſt 1776, viz. "wiſhing ſincerely to give relief to the diſtreſſes of all priſoners, I ſhall readily conſent to the mode of exchange you are pleaſed to propoſe, viz. officers for officers of equal rank—ſoldier for ſoldier—citizen for citizen,—the choice to be made by the reſpective commanders for their own officers and men."

It was then moved "that general Waſhington be directed to demand of general Howe a ſpeedy and explicit explanation of the line of conduct which he hath adopted and means to obſerve in future to ſuch perſons, whether officers, ſoldiers or citizens of theſe ſtates, as may be ſubjected to his power:"

On motion reſolved, That the conſideration thereof be poſtponed to Monday next:

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr Lovell,	*ay*	*ay*
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*

Connecticut,

Connecticut,	Mr. Dyer,	*ay*	*ay*
New-York,	Mr. Duer,	*no*	*no*
	Mr. Lewis,	*no*	
Pennsylvania,	Mr. Roberdeau,	*ay*	*ay*
Maryland,	Mr. Rumsey,	*no*	*
Virginia,	Mr. F. L. Lee,	*no*	*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Harnett,	*no*	*no*
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

The committee appointed to repair to Lancaster, to confer with the general assembly of Pennsylvania, report, that they have executed the business committed to them, and beg leave to refer Congress to the resolves of the said assembly, passed the 2d and 6th instant, accompanying this report—that they have dispatched an express to governor Clinton to be informed whether the salt ordered to be sent to the North river is arrived there, in order to regulate the movements of the waggons to bring it forward."

Resolved, That a committee of five be appointed to take into consideration the state of those counties in the states of Pennsylvania, New-Jersey and Delaware, which border on the enemy, or are in the neighbourhood of general Washington's army, and report the most effectual and vigorous measures for subsisting the army under the command of general Washington, and distressing that of the enemy;

The members chosen Mr. Duer, Mr. Ellery, Mr. Dana, Mr. F. L. Lee and Mr. Dyer.

A letter from the viscount de Mauroy at Boston, and one of the 6th from the committee at camp, were read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *December* 9, 1777.

An application from Mrs. Dugan, and a bill of exchange drawn by Abraham Livingston in behalf of himself and William Turnbull, at Boston, the 17th of June 1777, in favor of captain Pierre de Campe, were laid before Congress:

Ordered, That they be referred to the board of treasury.

The board of war laid before Congress a correspondence that passed between them and the supreme executive council of

of Penſylvania, relative to the ſupplying the hoſpital and army with blankets and cloathing; whereupon

Reſolved, That the legiſlature of the commonwealth of Pennſylvania be informed, that in the opinion of Congreſs the means which have been purſued in conſequence of the ordinance of the council of ſafety of the 8th of November 1777, have by no means been adequate to the laudable deſign the council had in view:

That the ſituation of the army and of the hoſpitals for want of blankets and other cloathing is really deplorable, and if not ſpeedily remedied, muſt be attended with the moſt prejudicial conſequences not only to this ſtate but to the general intereſt:

That Congreſs therefore ſubmit to the aſſembly of the ſtate of Pennſylvania, whether under theſe critical, diſtreſſing circumſtances, it would not be adviſeable to veſt the continental board of war, or ſuch perſons as the ſaid board may for that purpoſe appoint, with full powers to collect cloathing, blankets, &c. agreeably to the reſtrictions in the ordinance of council of November the 8th 1777.

Ordered, That the board of war tranſmit the foregoing reſolution to the legiſlature aforeſaid.

A motion being made to recommend it to ſundry ſtates to offer pardons and give encouragement to ſuch of the members of their reſpective ſtates as they judge proper, who, having joined the enemy, are willing to return to their allegiance;

Ordered, That it be referred to a committee of four.

The members choſen, Mr. Dana, Mr. Roberdeau, Mr. Duer and Mr. Dyer.

The committee to whom were referred the intercepted letters from Owen Jones, junior, to ſundry perſons at Lancaſter, brought in a report, and deſired leave to ſit again:

Congreſs took into conſideration the report; whereupon

Reſolved, That the letters from Owen Jones, junior, a priſoner of the commonwealth of Pennſylvania, and confined at Wincheſter in Virginia, to ſundry perſons at Lancaſter, be tranſmitted by the board of war to the preſident of the ſupreme executive council of the ſtate of Pennſylvania; and that it be recommended to the executive authority of the

ſaid

said state to take such measures on the premises as they in their wisdom shall deem meet.

Ordered, That the committee have leave to sit again.

Resolved, That the president write letters to the several states of Connecticut, New-York, Pennsylvania, Maryland and South-Carolina, representing to them the great and important matters to be transacted in Congress during the winter, and the few members now attending, and that he request them to send forward without delay an additional number of members.

That he also write in pressing terms to the states of New-Jersey and Delaware, who are unrepresented, to send delegates immediately to Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 10, 1777.

A petition from Christopher junior and Charles Marshall was read:

Ordered, That it be referred to the board of treasury.

The committee to whom it was referred to take into consideration the state of those counties in Pennsylvania, New-Jersey and Delaware, which border on the enemy, &c. brought in a report, which was taken into consideration and agreed to as follows:

Resolved, That general Washington be informed, that Congress have observed with deep concern that the principal supplies for the army under his command have, since the loss of Philadelphia, been drawn from distant quarters, whereby great expence has accrued to the public, the army has been irregularly and scantily supplied, and the established magazines greatly reduced, while large quantities of stock, provision and forage, are still remaining in the counties of Philadelphia, Bucks and Chester, which by the fortune of war may be soon subjected to the power of the enemy.

That Congress, firmly persuaded of general Washington's zeal and attachment to the interest of these states, can only impute his forbearance in exercising the powers vested in him by Congress, by their resolution of the 17th of September and the 14th of November, to a delicacy in exerting military authority on the citizens of these states—a delicacy, which though highly laudable in general, may on critical exigencies

exigencies prove deſtructive to the army and prejudicial to the general liberties of America:

That from theſe conſiderations it is the deſire and expectation of Congreſs, that general Waſhington ſhould for the future endeavour as much as poſſible to ſubſiſt his army from ſuch parts of the country as are in its vicinity, and eſpecially from ſuch quarters as he ſhall deem moſt likely to be ſubjected to the power or depredations of the enemy; and that he iſſue orders for ſuch purpoſe to the commiſſaries and quartermaſters belonging to the army.

That general Waſhington be directed to order every kind of ſtock and proviſions in the country above mentioned, which may be beneficial to the army or ſerviceable to the enemy, to be taken from all perſons without diſtinction, leaving ſuch quantities only as he ſhall judge neceſſary for the maintenance of their families; the ſtock and proviſions ſo taken to be removed to places of ſecurity under the care of proper perſons to be appointed for that purpoſe; and that he iſſue a proclamation, requiring all perſons within ſeventy miles of head-quarters forthwith to threſh out their grain within ſuch limited periods of time as he ſhall deem reaſonable, on penalty, in caſe of failure, of having the ſame ſeized by the commiſſaries and quartermaſters of the army and paid for as ſtraw.

That general Waſhington be directed to cauſe all proviſions, ſtock, forage, waggons and teams which may be, at any time, in the route of the enemy, and which cannot be ſeaſonably removed, to be deſtroyed.

Whereas it is eſſentially neceſſary that magazines ſhould be ſeaſonably provided in the interior parts of the country, and many inhabitants, through motives of avarice or diſaffection, refuſe to threſh out their grain;

Reſolved, That it be earneſtly recommended to the legiſlature of the commonwealth of Pennſylvania forthwith to enact a law requiring all perſons within their ſtate, at the diſtance of ſeventy miles and upwards from general Waſhington's head quarters and below the Blue Mountains, to threſh their wheat and other grain within as ſhort a period of time as the ſaid legiſlature ſhall deem ſufficient for the purpoſe; and in caſe of failure to ſubject the ſame to ſeizure by the commiſſaries and quartermaſters of the American army, to be paid for at the price of ſtraw only, excepting from ſuch penalty

penalty, ſuch families only as, from the abſence of the maſter, ſons or ſervants in the ſervice of their country, can give good proof that their compliance with the ſaid law was not practicable.

Reſolved, That a member be added to the committee on appeals.

The member choſen Mr. Rumſey.

Reſolved, That two members be added to the medical committee;

The members choſen Mr. Lewis and Mr. Penn.

Congreſs having received information that the inoculation of recruits in the hoſpital in the ſtate of Virginia has of late been attended with much ill ſucceſs;

Ordered, That the medical committee make ſtrict enquiry into the truth of this information, and report to Congreſs with all poſſible diſpatch.

Ordered, That to-morrow morning a commiſſioner be elected to proceed to the weſtern frontiers in the room of colonel J. Reed.

The committee on the treaſury brought in a report; whereupon

Ordered, That one hundred and forty-four dollars be paid to Mr. Lotbinier, a Canadian chaplain, for his pay and rations from September 10th to December 10th inſtant:

That one thouſand dollars be paid to captain Martin Pfifer, for the uſe of his own, captain Aſh's and captain Medici's troops of North-Carolina light horſe; the ſaid captain Pfifer to be accountable.

That two thouſand dollars be advanced to the delegates of Georgia, viz fifteen hundred on the application of Mr. Wood, and five hundred on the application of Mr. Langworthy, two of the delegates of the ſaid ſtate; and that the ſame be conſidered as a part of the three hundred thouſand dollars appropriated for the uſe of the ſaid ſtate.

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania, in favor of James Meaſe, eſquire, cloathier general, for twelve thouſand dollars, advanced him towards the payment of cloathing purchaſed by Mr Zantzinger for the uſe of brigadier Wayne's diviſion; the ſaid cloathier general to be accountable;

That one thouſand eight hundred and forty-two dollars be advanced to John Brown, in diſcharge of John Aſhe's

four

four drafts, dated in the ſtate of North-Carolina, March the 15th 1777, in favor of John Fragneau; one for four hundred and ten, one for four hundred and twenty-two, one for five hundred, and one for five hundred and ten; the ſaid ſtate to be accountable, and that the ſame be conſidered as a part of the five hundred thouſand dollars heretofore ordered for the uſe of that ſtate.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *December* 11, 1777.

Mr. A. Clark, a delegate from New-Jerſey, attended and produced the credentials of his appointment, which were read as follows:

"At a joint meeting of the legiſlative council and general aſſembly of the ſtate of New-Jerſey, held at Princeton, on the 20th day of November, 1777. The joint meeting proceeded to the election of five delegates to repreſent the ſtate in the general Congreſs of the United States, and the ballots being taken, the honorable John Witherſpoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, eſquires, were duly elected.

Reſolved therefore, That the ſaid John Witherſpoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, or any one or more of them, be impowered to repreſent and vote in behalf of this ſtate, in the general Congreſs of the United States of North-America, until the firſt day of December which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-eight, unleſs a new appointment ſhall ſooner take place. It is nevertheleſs expected, that three of the ſaid delegates do conſtantly attend Congreſs, unleſs prevented by ſickneſs or other accident. By order of the joint meeting, John Stevens, chairman. Atteſted, Charles Pettit, ſecretary."

According to the order of the day Congreſs proceeded to the election of a commiſſioner to go to fort Pitt in the room of colonel J. Reed who is excuſed, and the ballots being taken,

George Clymer, eſquire, was elected.

The board of war report, "that in their opinion the public intereſt will be promoted by erecting in the town of York, temporary barracks or ſheds ſufficient for containing ſix hundred men, for the purpoſe of accommodating ſuch recruits and other troops as may be from time to time ſtationed or detained at the ſaid place, either as guards or for the purpoſe of equipment and diſcipline:" whereupon *Reſolved*,

Resolved, That the board of war be directed to cause the said barracks or sheds to be erected, with all possible dispatch, and in the most reasonable manner they can devise.

The committee on the treasury brought in a report; whereupon

Ordered, That eighty four dollars be paid to William Hurrie, for his attendance as door keeper to Congress from the 1st of August to the 19th of September, and nursing wounded soldiers, &c.

The committee appointed to report a mode of conducting an enquiry into the causes of the failure of the expedition against Rhode Island, and into the conduct of the general officers conducting such expedition, brought in a report; whereupon

Resolved, That five commissioners be appointed, and that they or any three of them be impowered to conduct the enquiry; that they meet for that purpose on the first Monday in February next at Providence in the state of Rhode-Island and Providence plantations; that they summon before them the commadning officer and all the general officers concerned in the conduct of the said expedition, and such other officers and persons as they may think proper:

That the mode of their enquiry be by question and answer:

That they enquire, what number of troops were assembled for the expedition; what number of continental troops of fifteen months men of militia, of volunteers, of artillerists or train, and what was the quantity and species of ordnance and ordnance stores, whether any extra militia were called forth, when, why, and for what time; what number of them did appear at the posts in arms, and when they were dismissed; how long before the time fixed for their rendezvous the commander in chief had knowledge of the number of troops to be employed in the expedition; whether the necessary preparations were made for a descent on Rhode-Island, previous to the time of rendezvous, or at any time afterwards; and what those preparations were: when they were in readiness for an attack; and if at any time they were ready, why the attack was postponed from day to day, until the time expired for which the militia were ordered out; and the particular reasons, why it was each day postponed: what was the force of the enemy on Rhode-Island during the time the expedition aforesaid was on foot:

That they enquire whether any councils of war were held during the said time, and whether their proceedings and determinations were committed to writing, and if they were,

that they require the commanding officer to lay the ſame before them:

That they enquire, what was the quantity of proviſions expended during the time the troops were aſſembled for carrying on the expedition; what proportion of the proviſions was ſalted and from what magazines ſupplied: and if any and what quantity of freſh proviſions might have been obtained for the uſe of the army under the command of general Spencer:

That they aſk all ſuch further queſtions and make ſuch further enquiries by correſpondence or otherwiſe as they may think will tend to diſcover the cauſes of the failure of the ſaid expedition; and that they report to Congreſs the queſtions aſked and the anſwers made, and alſo a copy of the proceedings and determinations of any and all councils of war that were held during the time aforeſaid, together with the opinions of each member of ſuch council upon matters propoſed and debated, if practicable to be obtained, and of all other papers that may be laid before them or which they otherwiſe procure reſpecting the ſaid expedition.

Congreſs proceeded to the election of commiſſioners, and the ballots being taken, William Whipple, eſquire, of New-Hampſhire, R. T. Paine, eſquire, of Maſſachuſetts Bay, Egbert Benſon, eſquire, of New York, Oliver Elſworth, eſquire, of Connecticut and Henry Marchant, eſquire, of Rhode-Iſland, were elected.

Reſolved That a committee of three be appointed to take into conſideration the caſe of the officers whether of continental forces, flying camp or militia, taken priſoner by the enemy and releaſed on parole, and report whether any or what allowance of pay and rations ought to be made them:

The members choſen Mr. Dyer, Mr. Clark and Mr. Ellery.

The delegates from New-Hampſhire laid before Congreſs an account of the expences incurred by that ſtate for priſoners brought into the ſame, and alſo a ſtate of the exchange of priſoners:

Ordered, That the account of expences be referred to the board of treaſury, and the ſtate of the exchange to the board of war.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

FRIDAY, *December* 12, 1777.

A letter of the 27th of November from Joſeph Trumbull, late commiſſary general; one of the 1ſt of December from governor Trumbull; one of the 19th, one of the 27th, and one of

of the 30th of November, and one of the 1st of December from general Heath, incloſing copies of letters that paſſed between him and general Burgoyne; a letter from S. Clap of New-Hampſhire, and two petitions from priſoners of war in that ſtate; alſo a letter of the 26th and one of the 29th of November from S. A. Otis, deputy cloathier general at Boſton, were read:

Ordered, That the letter from governor Trumbull be referred to the boa d of treaſury:

That the letters from general Heath, with the papers incloſed, be referred to the board of war:

That ſo much of Mr. Otis's letter as relates to money be referred to the board of treaſury; and the remainder to a committee of three;

The committee choſen Mr. Dana, Mr Duer and Mr. F. L. Lee.

A letter of this day from Mr. preſident Laurens was read, informing that "the malady under which he labours has made ſuch a progreſs as to convince him by reflecting upon former attacks, tha he will not be able to move out of the houſe, nor attend his duty in Congreſs for ſome weeks to come; and informing that there is much buſineſs upon his table, which it is not in his power to give diſpatch to—that every day will accumul te the heap, buſineſs will be impeded, and ſome branches run into confuſion—and therefore humbly moving Congreſs to pr ceed to the choice of a preſident, as an act of propriety and neceſſity:"

Ordered, That the conſideration thereof be poſtponed till to morrow.

A letter from Mr. Colt, and one from Mr. Champion, to William Buchanan, eſquire, commiſſary general of purchaſes, alſo one from Mr. Buchanan to Mr. Roberdeau, were laid before Congreſs and read:

Ordered, That they be referred to the committee on the letter from Mr. Otis.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *December* 13, 1777.

A letter of the 10th from general Waſhington at White Marſh was read.

Mr. Smith, a member of the committee of commerce, informed Congreſs, that in purſuance of the orders of Congreſs

greſs the committee have entered into an agreement with Mr. Gillon and that he is deſirous of having a draft on the loan-office for the ſtate of South Carolina for the firſt year's advance; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of South-Carolina for the ſum of one hundred and twenty-five thouſand dollars, in favor of Alexander Gillon, eſquire, to enable him to execute the contract entered into with the committee of commerce; and that the ſaid ſum be charged to the ſaid committee, which is to be accountable.

Reſolved, That three members be added to the committee of commerce;

The members choſen Mr. Lewis, Mr. Ellery and Mr. Harnett.

The board of war, to whom were referred the letters from brigadier Conway, brought in a report, which was taken into conſideration: whereupon

Reſolved, As the opinion of this Congreſs. That it is eſſential to the promotion of diſcipline in the American army, and to the reformation of the various abuſes, which prevail in the different departments, that an appointment be made of inſpectors general, agreeable to the practice of the beſt diſciplined European armies

Reſolved, That this appointment be conferred on experienced and vigilant general officers, who are acquainted with whatever relates to the general œconomy, manœuvres and diſcipline of a well regulated army

Reſolved, That the duties of theſe officers be as follows:

To review from time to time the troops, and to ſee that every officer and ſoldier be inſtructed in the exerciſe and manœuvres, which may be eſtabliſhed by the board of war: that the rules of diſcipline be ſtrictly obſerved, and that the officers command their ſoldiers properly and do them juſtice.

Reſolved, That the inſpectors general reſpectively ſhall give notice to the commanders of regiments, of the time which ſhall be fixed on for ſuch reviews, who are to prepare the following returns, models of which are previouſly to be furniſhed by the inſpector, viz.

A return of cloathing;

A return of arms and accoutrements;

A return of recruits, with an account of the money laid out for that purpoſe;

A

A return of the number and names of the wounded men, diſtinguiſhing ſuch as are fit for the corps of invalids, and ſuch as are totally unfit for ſervice:

A return of the loſs ſuſtained in the regiment by death, deſertion or otherwiſe;

A return of the pay and rations drawn by each regiment;

A return of all the officers of each regiment, with obſervations upon the behaviour, capacity and aſſiduity of every individual.

All the returns when ſigned by the field officers of each regiment, are to be carefully ſcrutanized by the inſpector general, who, after having made and added his remarks upon the ſame, is to ſign and tranſmit them to Congreſs.

Reſolved, That the inſpectors general ſhall make theſe reviews in the beginning and at the latter end of every campaign, and at ſuch other times as the commander in chief ſhall direct, or as they themſelves ſhall ſeverally judge proper or ſhall receive orders for that purpoſe from the board of war, firſt giving notice thereof to the commander in chief and obtainining his leave for reviewing the ſaid troops.

Reſolved, That the inſpectors general reſpectively ſhall make this review minutely man by man, attending to the complaints and repreſentations of both ſoldier and officer, and tranſmitting to Congreſs what petitions and grievances he ſhall think worthy of notice: that not ſolely depending upon the accounts and characters of officers as given him by the colonels of regiments, the inſpectors general ſhall examine the ſaid officers in perſon, direct them to command different manœuvres, and to take ſuch meaſures as ſhall enable him to give an exact account to Congreſs

Reſolved, That theſe reviews when cloſed be tranſmitted to Congreſs by the inſpector general making the review, who is to furniſh the major of the reſpective regiments with a copy of the ſame, and to keep another for his own government and aſſiſtance in proceeding to the next review.

Reſolved, That the inſpectors general ſhall examine from time the pay books of the reſpective regiments which are to be kept in an uniform manner, agreeable to ſuch regulations as may be eſtabliſhed for that purpoſe, giving immediate

mediate notice to Congreſs of any mal-verſation or miſ-management, which he may diſcover.

Reſolved, That it be referred to the commiſſioners of the war-office to report ſuch further regulations for this office, as they ſhall deem calculated to extend its utility, and to promote the end of its inſtitution

Reſolved, That two inſpectors general be now appointed.

Congreſs proceeded to the election, and the ballots being taken,

Brigadier T. Conway was elected.

Reſolved, That the election of the other inſpector be poſtponed to Monday next.

Ordered, That another major general be appointed in the army of the United States:

The ballots being taken,

Brigadier T. Conway was elected.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *December* 15, 1777.

A letter of the 5th from B. Harriſon, eſquire, deputy paymaſter general in Virginia, and one of the ſame date from W. Finnie, eſquire, deputy quartermaſter general, directed to the board of war, were laid before Congreſs.

Ordered, That they be referred to the board of treaſury.

The ſecretary informed Congreſs that Mr Clymer accepted the appointment of commiſſioner, and would proceed to fort Pitt as ſoon as he could get ready.

Ordered, That the ſtate of Pennſylvania be informed of Mr. Clymer's appointment and acceptance.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſix thouſand eight hundred and ſeven dollars be advanced to the delegates of Georgia, to enable them to diſcharge the demands on them from the ſaid ſtate for that ſum, which is to be conſidered as a part of the money appropriated for the uſe of the ſaid ſtate, which is to be accountable.

The board of treaſury laid before Congreſs a letter of November the 24th, directed to them, from general Heath, which was read:

Ordered,

Ordered, That it be referred to a committee of five, and that they be directed to enquire into the riſe of the expedition againſt Rhode Iſland;

The members choſen Mr. Dyer, Mr. Ellery, Mr. Dana, Mr. Lovell and Mr. Harvie.

Mr. Roberdeau, a delegate from Pennſylvania, laid before Congreſs credentials of the appointment of delegates from that ſtate, which were read as follows:

(L. S.) "In the name and by the authority of the commonwealth of Pennſylvania, the ſupreme executive council of the ſaid ſtate to all whom it may concern ſendeth, greeting: Whereas the general aſſembly of repreſentatives of the freemen of Pennſylvania have elected doctor Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York Town, William Clingan, and Joſeph Reed, eſquires, to repreſent this ſtate in Congreſs, and hath made the ſame known to this council: theſe are therefore to certify that the ſaid doctor Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York-Town, William Clingan and Joſeph Reed, eſquires, are appointed and authoriſed to repreſent the freemen of the ſtate of Pennſylvania in the Congreſs of the United States of America.

Tho. Wharton, Preſident.

Given under the ſeal of the commonwealth, at Lancaſter, on this thirteenth day of December, in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven.

Atteſt T. MATLACK, Secretary.

Congreſs having received information that large quantities of cattle have been driven upon the marſhes of the county of Kent in the ſtate of Delaware, and into other parts of the ſaid county, which are expoſed to the depredations of the enemy; and the preſent ſituation of the ſtate of Delaware, with reſpect to its internal and open enemies, rendering it impracticable that any meaſures which may be deviſed by the government of the ſaid ſtate, for removing the ſaid ſtock, can be executed with ſecrecy and diſpatch.

Reſolved, That the board of war be authoriſed and directed to give ſuch orders for ſecuring the ſaid ſtock as they ſhall deem moſt effectual:

That the owners of the ſtock ſo removed be paid for the ſame at reaſonable rates.

Congreſs

Congreſs took into conſideration a report from the board of war, and after ſome time ſpent thereon,

Reſolved, That the farther conſideration thereof be poſtponed.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *December* 16, 1777.

James Smith of York-Town, a delegate from Pennſylvania, attended and took his ſeat in Congreſs.

A letter from Edward Kennedy, an inhabitant of Providence, one of the Bahama Iſlands, dated at Boſton, October the 28th, was laid before Congreſs, with ſamples of green indigo, a new manufacture diſcovered by him:

Ordered, That the ſame be referred to the Delegates of South Carolina and Georgia.

A memorial from Ephraim Marſh, of Elizabeth Town, with an account incloſed, was laid before Congreſs and read:

Ordered, That it be referred to the board of treaſury.

Ordered, That colonel Rawlins attend Congreſs to-morrow morning at eleven o'clock, to give ſuch information as has come to his knowledge reſpecting the treatment our priſoners in the hands of the enemy receive from them.

The committee appointed to repair to camp having returned, made a report, which was read;

Ordered to lie on the table.

Reſolved, That Congreſs meet twice a day.

That at one o'clock Congreſs be of courſe adjourned, and meet again at three in the afternoon.

A petition from colonel Green was read:

Ordered, That it be referred to the board of war.

The committee to whom were referred the letters from Mr. Otis, brought in a report:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 17, 1777.

Doctor Witherſpoon, a delegate from New-Jerſey, attended and took his ſeat in Congreſs.

A letter

A letter of the 14th and 15th from general Washington, near the Gulph, with a copy of a letter to him from lieutenant general Burgoyne, dated Cambridge, November the 25th; a letter of the 10th from William Livingston, governor of New-Jersey; and one of the 9th from Charles Alexander, late captain of the frigate Delaware, directed to the marine committee; were laid before Congress and read:

Ordered, That the letter from governor Livingston be referred to the board of war; and that the letter from captain Alexander be returned to the marine committee.

Resolved, That general Washington be directed to inform general Burgoyne, that Congress will not receive nor consider any proposition for indulgence or altering the terms of the convention of Saratoga, unless immediately directed to their own body.

According to the order of the day colonel Rawlins attended, and having informed Congress of the treatment our prisoners in the hands of the enemy receive from them, he withdrew.

Three o'clock, P. M.

Congress took into consideration the report of the committee on the letter from S. A. Otis, and after some time spent thereon,

Resolved, That it be recommitted, and that the committee be instructed to prepare a circular letter to the states, to accompany the resolution of Congress.

Resolved, That Mr. Gerry be added to the committee.

Resolved, That the governor and council of safety of Connecticut be authorised and requested to use their utmost endeavours to lay up all the supplies of salted provisions they are able, and to employ proper persons for that purpose, and co-operate with Mr. Colt therein.

Robert Lawson, a colonel of one of the battalions of Virginia forces, having sent his commission to Congress and requested leave to resign the same,

Resolved, That his resignation be accepted.

A remonstrance from the council and general assembly of Pennsylvania was read:

Ordered, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to three o'clock to-morrow, *P. M.*

THURSDAY, *December* 18, 1777.

Three o'Clock, P. M.

Mr. Jonathan B. Smith, a delegate from Pennsylvania, attended and took his seat in Congress.

A letter of the 3d from general Gates, inclosing a letter to him from lieutenant general Burgoyne, dated Cambridge, November the 14th, together with a list of the British and German troops, that surrendered by the convention of Saratoga; also a letter of the 12th and one of the 28th of November from R. Varick, esquire, deputy mustermaster general in the Northern department, with muster rolls of the Northern army; were read:

Ordered, That the letter from general Gates, with the papers inclosed, be referred to a committee of five;

The members chosen Mr. Witherspoon, Mr. Duer, Mr. Dana, Mr. F. L. Lee and Mr. J. B. Smith.

Resolved, That Mr. Harvie be added to the marine committee, in the room of Mr. R. H. Lee who is absent.

Congress took into consideration the report from the committee sent to camp to confer with general Washington, and the remonstrance from the executive council and assembly of Pennsylvania, and after some time spent thereon,

Resolved, That the farther consideration thereof be postponed till to-morrow.

A letter of the 7th from general Heath at Boston was read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *December* 19, 1777.

Ordered, That the letter from R. Varick, read yesterday with the rolls inclosed, be referred to the board of war.

A letter of the 15th from monsieur de la Balme was read.

Congress resumed the consideration of the report of the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania:

The committee having, in their report made mention of letters containing the opinions of general officers, which were laid before them by the general, and on which they grounded their opinion,

A motion was made that the committee be asked, whether they had those letters?

The committee informed Congress that they had brought the letters with them, but that the general, when he delivered them

them the letters, mentioned that they might keep them to satisfy themselves and form their judgment, and then return them to him; and that therefore they consider themselves obliged to return them to the general:

Ordered, That the letters be laid on the table for the perusal of the members.

The letters were accordingly brought in and laid on the table.

Three o'clock, P. M.

A certificate from major general Gates, of his having promoted Denis John de Bouchet to the rank of major, was laid before Congress:

Ordered, That it be referred to the board of war.

Congress resumed the consideration of the report from the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania; and thereupon

Resolved, That a copy of the remonstrance be transmitted by express to general Washington, and that he be desired to inform Congress whether he has come to a fixed resolution to canton the army; and if he has what line of cantonment he has proposed; in particular what measures are agreed on for the protection of that part of Pennsylvania which lies on the easterly side of Schuylkill, and of the state of New-Jersey:

That general Washington be farther informed that in the opinion of Congress, the state of New-Jersey demands in a peculiar degree the protection of the armies of the United States, so far as the same can possibly be extended consistent with the safety of the army and the general welfare; as that state lies open to attacks from so many quarters, and the struggles which have been made by the brave and virtuous inhabitants of that state in defence of the common cause cannot fail of exposing them to the particular resentment of a merciless enemy.

Congress took into consideration the report of the board of war of the 12th, and thereupon came to the following resolution.

Whereas sir William Howe, commander in chief of his Britannic Majesty's forces, has required that provisions should be sent in for the subsistance of the American prisoners in his possession, and for the purchase of such necessaries as they may stand in need of, and has prohibited the circulation of the money struck by the authority of these states within such parts of the country as are at present subjected to his power; whereby great

great difficulties have occurred in relieving the diſtreſſes of the American priſoners; and whereas large ſums of continental bills of credit have been counterfeited and iſſued by the agents, emiſſaries and abettors of ſir William Howe;

Reſolved, That the accounts of all proviſions and other neceſſaries which already have been, or which hereafter may be ſupplied by the public to priſoners in the power of theſe ſtates ſhall be diſcharged by either receiving from the Britiſh commiſſary of priſoners or any of his agents, proviſions or other neceſſaries, equal in quality and kind to what have been ſupplied, or the amount thereof in gold and ſilver, at the rate of four ſhillings and ſix-pence for every dollar of the currency of theſe ſtates: and that all theſe accounts be liquidated and diſcharged previous to the releaſe of any priſoners to whom proviſions or other neceſſaries ſhall have been ſupplied.

Ordered, That Monday next be aſſigned for taking into conſideration the report of the committee reſpecting the eſtabliſhment of a French legion.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſix thouſand dollars be advanced to John Gibſon, auditor general, to enable him to diſcharge a part of a warrant of Congreſs of the 1ſt of September laſt, drawn on him in favor of the delegates of Georgia; the ſaid auditor general to be accountable.

Ordered, That four hundred dollars be paid to the honorable H. Laurens, to diſcharge a draft of William Palfrey, paymaſter general, of December 11th, in favor of colonel Moſes Rawlins; the ſaid paymaſter general to be accountable.

Ordered, That ſix hundred dollars be paid to Iſaac Wikoff, in diſcharge of John Aſhe's third draft, dated ſtate of North-Carolina, the 5th of March laſt, in favor of William Dry, expreſſed to be for the payment and ſupport of continental troops; the ſtate to be accountable, and the ſum to be conſidered as a part of the five hundred thouſand dollars appropriated for the uſe of that ſtate.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *December* 20, 1777.

Whereas it is repreſented to Congreſs, that a conſiderable number of the nine firſt regiments of Virginia forces, in the continental ſervice, whoſe times of inliſtment are near expiring are willing to re-enliſt, and many of them have re-enliſted for

for three years or during the war, upon condition of receiving the continental bounty of twenty dollars, the ſuit of cloaths allowed by Congreſs, and a farther bounty of twenty dollars; and whereas the ſtate of Virginia have engaged to pay the additional bounty, but the cloathier general has not a ſufficiency of cloathing to ſupply the men; and it being repreſented that the men are willing to take money in lieu of the cloaths that cannot be ſupplied, and to furniſh themſelves with neceſſary cloathing:

Reſolved, That the board of treaſury be directed to ſettle the accounts of the ſaid men, and to pay or order them to be paid for the articles of cloathing with which they cannot be ſupplied by the cloathier general, agreeably to the eſtimate fixed by Congreſs

The medical committee, to whom it was referred to enquire into the conduct of the director of the hoſpital at Alexandria, reported, "that from the informations of ſeveral officers in the Virginia and North Carolina regiments, which are annexed, it appears obvious to the committee that doctor Rickman, director of the ſaid hoſpital, has been guilty of great neglect in not giving proper attendance to the officers and ſoldiers under inoculation at Alexandria."

The ſaid report and the informations being read:

Reſolved, That doctor Rickman be immediately ſuſpended, and that he attend the medical committee, to anſwer the ſeveral complaints exhibited againſt him

Ordered, That the medical committee tranſmit to doctor Rickman a copy of the complaints againſt him, and direct his attendance.

That the ſaid committee write to doctor Shippen, director general, and direct him to ſend immediately a ſkilful phyſician to take care of the ſick and ſuperintend the inoculation of the ſoldiers at Alexandria.

Applications being made by Robert Yancey, to be reimburſed a ſum of public money entruſted to him as paymaſter of colonel Bland's regiment, and which he loſt:

Ordered, That it be referred to the board of treaſury to enquire into the circumſtances, and report ſpecially thereon.

Reſolved, That Mr Froſt be added to the marine committee, in the room of Mr Folſom, who being engaged at the treaſury deſires to be excuſed.

A letter of the 2d from brigadier Parſons, with a copy of a letter from him to general Tryon, and general Tryon's anſwer; were read:

Ordered,

Ordered, That brigadier Parſons be directed to ſend to Congreſs an authentic account of the treatment which John and Philip Vantaſſel and their families received from the enemy.

A letter of the 14th from the navy board at Bordentown in New-Jerſey, directed to the marine committee, was laid before Congreſs.

Ordered, That it be returned to the marine committee, and that they be directed to prepare proper reſolutions for ſupporting the authority of the navy board, and report the ſame to Congreſs.

A letter from Flobergue de la Rocatelle, with a memoir annexed, was laid before Congreſs and read:

Ordered, That it be referred to the committee on foreign affairs.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſixty-eight dollars be paid to Patrick M'Cloſkey, for a horſe belonging to him, which was ſent with an expreſs to the eaſtward in February laſt and not returned, as appears by the certificate of Mr. Hancock, and Mr. Abeel, aſſiſtant quartermaſter general.

That thirty nine dollars and 65-90ths be paid to Mr A. Clark, for the amount of the expences of himſelf and others with the public papers, &c. at Briſtol:

That ſix hundred thouſand dollars be advanced to William Buchanan, commiſſary general of purchaſes, of which ſum two hundred thouſand to be ſent to Mr. Cuyler his deputy in the Northern department; two hundred thouſand to Mr. Colt, his deputy in the Eaſtern department; and two hundred thouſand to his deputy in the Southern department; the ſaid commiſſary general to be accountable.

That a warrant iſſue on John Lawrence, commiſſioner of the continental loan office in the ſtate of Connecticut, for two hundred thouſand dollars, in favor of the governor and council of ſafety of the ſaid ſtate, for the purpoſe of purchaſing proviſions agreeably to a reſolution of Congreſs; the ſaid governor and council to be accountable.

That the following warrants be drawn on Thomas Smith, commiſſioner of the loan office of the ſtate of Pennſylvania, viz.

One in favor of Elias Boudinot, for five thouſand dollars, to be paid in loan-office certificates, bearing date the 21ſt of May laſt, being in diſcharge of ſo much borrowed of him at that time by William Palfrey, paymaſter general, who is to be accountable.

One

One in favor of Elias Boudinot, for one thouſand two hundred dollars, to be paid in loan-office certificates, to be dated the 7th of July laſt, being in diſcharge of ſo much borrowed of him at that time by W. Palfrey, paymaſter general, who is to be accountable.

One in favor of John Morton, for fourteen thouſand nine hundred dollars, to be paid in loan office certificates, bearing date the 27th of May laſt: and that there be paid to Elias Boudinot, for the ſaid John Morton, ſeventy-two dollars and 80 90ths; the two laſt ſums being for fourteen thouſand nine hundred and ſeventy dollars and 1-2, borrowed on intereſt of the ſaid John Morton, by William Palfrey, paymaſter general, as appears by his two receipts dated at Morriſtown, the 27th of May laſt, one for four thouſand ſeven hundred dollars, the other for ten thouſand two hundred and ſeventy dollars and 1-2, for which he is to be accountable; and alſo in diſcharge of the intereſt due on 70 dollars and 1-2 from the 27th of May to the 20th of December.

The ſaid committee having alſo repreſented to Congreſs that the warrant drawn in favor of William Buchanan, commiſſary general of purchaſes, on the 16th of September laſt by the preſident of Congreſs on John Lawrence, eſquire, commiſſioner of the loan office in the ſtate of Connecticut, for two hundred thouſand dollars, is returned for want of payment, and that Mr. Buchanan deſires the ſame to be cancelled; it was thereupon

Reſolved, That the ſaid warrant be cancelled, and that proper entries be accordingly made in the public books at the treaſury-office.

The committee to whom was re-committed the report on the letters from S. A. Otis brought in their report, which was taken into conſideration; whereupon

Reſolved, That it be moſt earneſtly recommended to the reſpective legiſlatures of the United States, forthwith to enact laws, appoining ſuitable perſons to ſeize and take for the uſe of the continental army of the ſaid ſtates, all woollen cloths, blankets, linens, ſhoes, ſtockings, hats, and other neceſſary articles of cloathing ſuitable for the army, which may be in the poſſeſſion of any perſons inhabitants of or reſidents within their reſpective ſtates, for the purpoſe of ſale and not for their own private uſe or family conſumption, giving them certificates or receipts for the ſame, expreſſing the quantity and quality of the goods; provided that ſuch laws do not extend to any goods, wares or merchandiſes which are or ſhall be *bona fide*, imported into the reſpective ſtates, on account of any perſons not citi-

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zens of any of these United States, so long as the same shall continue their property, and no longer; and that they inflict such penalties as may be deemed proper on such persons possessed of any of the above enumerated goods, wares or merchandize, or other articles of cloathing suitable for the army, who, to evade the good intention of the said laws shall falsely affirm or declare the same to be the property of persons not citizens of any of the said United States.

2. That it be further recommended to make provision in the said laws to empower the commissary general of purchases or any of his deputies, or such other persons as the respective legislatures may deem expedient, to seize all stock and every kind of provision necessary for the army, which may have been purchased up or engrossed by any person with a view of selling the same, giving to the person from whom such stock or provisions have been taken, certificates as aforesaid.

3. That the value of all such goods, wares and merchandize as are above enumerated, or other articles of cloathing stock or provisions necessary for the army, which shall be so seized and taken, be ascertained at the rate at which the said articles shall be stated by the convention of the committees of the several states, to be held agreeably to the recommendation of Congress of the 22d of November last; the articles of cloathing to be paid for by draughts made by the respective states upon the cloathier general; and the stock or provisions by the purchasing commissaries receiving them.

4. And it is further recommended to the respective states to cause to be made up so much of the cloathing aforesaid as they can compleat within a reasonable time, and to send the whole of the cloathing so taken or seized, as well that part which may be made up as that which may remain unmade (except so much as may be necessary for cloathing the recruits inlisted in the states for their respective battalions in the continental service) to the cloathier general, to be distributed in the first instance to the supply of the troops belonging to the state furnishing such cloathing, and the residue in such manner as the commissioners of the war-office or the cloathier general shall from time to time direct: provided that this resolution shall not repeal or affect any part of the seventh proposition recommended to the legislatures of the respective states the 22d of November last, relative to the additional cloathing to be furnished to their respective battalions. And it is further resolved, That the cloathier general transmit from time to time to the respective states an account of the cloathing furnished to their battalions out of the stock by them

them collected and sent forward in order that each state may be satisfactorily informed that their troops receive immediate advantage from its exertions in the common cause.

5. And whereas great waste of cloathing has arisen from the want of fidelity or skill in the persons employed to make up the same;

Resolved, That it be recommended to the respective states to appoint one or more suitable persons to superintend and direct the tradesmen employed to make up the cloaths to be collected as aforesaid, who shall conform themselves to the instructions of the board of war relative to the form thereof, provided that no delays be suffered to take place from the want of such instructions.

6. And whereas the comfortable support of the army of these states may hereafter greatly depend on the supplies which they may be able to draw from their own internal resources; it is therefore most earnestly recommended to the said states to employ a sufficient number of manufacturers and tradesmen to supply the cloathing wanted for their respective battalions, exempting them, under proper regulations, from military duty; and authorising suitable persons to collect and supply at the stipulated prices, cotton, wool, flax, leather, and other articles for carrying on the said manufactures.

7. And whereas certain persons, devoid of and in repugnance to every principle of public virtue and humanity, instigated by the lust of avarice, are, in each state, assiduously endeavouring, by every means of oppression, sharping and extortion, to accumulate enormous gain to themselves, to the great distress of private families in general and especially of the poorer and more dependant part of the community, as well as the great injury of the public service: for the effectual suppression of such nefarious practices it is most seriously recommended to the several legislatures aforesaid, forthwith to enact laws, limiting the number of retailers of goods, wares and merchandize in their several counties, towns and districts, and obliging them to take licence and enter into bonds for the observance of all laws made for their regulation; to make provision in the said laws that no persons be allowed to sell by wholesale except the importer, and he only to persons having such licence or the certificates hereafter mentioned; and that such of their inhabitants as are

not licenced as aforesaid be restrained from purchasing a greater quantity of such goods, wares and merchandize than is requisite for their own private or family's use and consumption: and that it be farther recommended to the several states to prohibit any persons whatsoever, not citizens of their respective states, from purchasing within the same any articles of cloathing or provision necessary for the use of the army (unless so much as may be requisite for their own private or family's use or consumption) excepting only such person or persons as shall produce a certificate, under the seal and sign manual of the supreme executive authority of the respective states, purporting that the said person or persons are employed or permitted to make purchases either on account of the public or for the use or benefit of the inhabitants of the state of which he or they are members—and to inflict such punishment upon all atrocious offenders before described as shall brand them with indelible infamy.

8. And whereas there is good reason to apprehend that many of the emissaries and abettors of general Howe are dispersed through the United States, under various pretences of amusement or business, whereby they are enabled to spread disaffection, intimidate the people by false news, depreciate the currency of the United States, and avoid serving in the militia or paying their fines: to prevent these mischiefs it is most earnestly recommended to the supreme executive power of each state to take the most effectual measures to cause all persons, whose character and business is not well known and approved of to be apprehended, and if they cannot give a good and satisfactory account of themselves, that they be obliged immediately to return to their own states or be confined in goal.

The committee having prepared a circular letter to accompany the foregoing resolutions, submitted it to Congress, and the same was read and agreed to as follows:

SIR,

I AM directed by Congress to transmit to your honorable body the inclosed resolutions, which the pressing wants of the army and the arts and avarice of engrossers and extortioners have rendered indispensably necessary to the general welfare.

It is with deep concern, that Congress after having for some time contemplated in painful silence the mischiefs which threatened

threatened this extended continent from the growing avarice of the times feel themſelves conſtrained to recommend meaſures, which the virtue of all claſſes of men rendered not long ſince unneceſſary. And which a ſcrupulous regard for ſecurity of property to every citizen of theſe ſtates has hitherto reſtrained from adopting. But, unhappy the caſe of America! laws unworthy the character of infant republics are become neceſſary to ſupply the defect of public virtue, and to correct the vices of ſome of her ſons; and ſhe is called upon by the grand principle of ſelf-preſervation to guard againſt the paricide of thoſe whom ſhe has foſtered in her own boſom.

To minds, whoſe reflections are employed on the importance of the cauſe in which we are engaged, and that feel for every circumſtance which may affect the honour and ſafety of theſe ſtates, it muſt give the moſt painful ſenſations to conſider, that at a time when the late ſignal ſucceſſes we have been bleſſed with, the reduced numbers of the enemy, the difficulties they meet with in procuring foreign levies, and the political complexion of affairs in Europe, have deprived Britain of many of thoſe reſources, on which ſhe ſo much depended: when the number and improving diſcipline of our army, the prodigious augmentation of our military ſtores, the quantity of proviſions with which this country abounds, and the large ſupplies of cloathing, which have of late been imported by private perſons, afford not only the opportunity, but the means, under divine providence, of eſtabliſhing our liberties by a few exertions, this bright proſpect ſhould be clouded over, and this great and glorious event endangered by the langour of too many and by the arts and avarice of deſigning individuals, who like the Britiſh nabobs of the eaſt are corrupting the manners of a whole nation and building vaſt fortunes on the deſtruction of the liberties of the weſtern world.

It is to be hoped, however, that the wiſe and ſpirited laws of the different ſtates, aided by the influence and exertions of the real patriots, will ſupply effectual remedies to thoſe alarming evils—that the old and hardened offenders will be puniſhed—that thoſe in whoſe boſoms the ſparks of public virtue are not yet extinguiſhed, will be reclaimed, the languid rouſed from their preſent apathy; and that all claſſes of men will unite with their former ſpirit and virtue againſt an enemy whoſe progreſs is marked with every veſtige of barbarity, and whoſe determined object is to eſtabliſh a tyranny of

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the moſt dangerous and debaſing nature over the inhabitants of a vaſt continent.

Congreſs flatter themſelves that the reſolutions herewith tranſmitted will tend to accompliſh ſome of theſe valuable purpoſes, and they therefore eſteem it their duty to recommend them to the ſerious conſideration of your honorable houſe, and hope they will be carried into execution as ſecretly and expeditiouſly as poſſible.

By order of Congreſs,

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Monday.

MONDAY, *December* 22, 1777.

A letter of the 11th and one of the 22d from Thomas Mullens, brigade major to general Conway, with a certificate in his favor from lord Stirling and general Sullivan; a letter from brigadier de Roche Fermoy; one from monſ. de Kermovan; two from the chevalier de Bouchet; and one from the viſcompte de Laumagne; were read:

Ordered, That it be referred to the board of war.

A letter of November 29th from general R. Howe, at Charleſtown, South Carolina, and one from colonel D. Maſon, at Williamſburgh, were read:

Ordered, That they be referred to the board of war.

Mr. Folſom, a member from New-Hampſhire laid before Congreſs a paragraph of a letter from an officer of the troops from that ſtate in the army under geneal Waſhington, repreſenting the diſtreſſes of the ſaid troops for want of cloathing:

Ordered, That the ſaid paragraph, together with the remonſtrance lately received from the council and aſſembly of Pennſylvania, be referred to the board of war.

Reſolved, That ſuch gold and ſilver as ſhall be received in conſequence of the reſolution of Congreſs of the 9th, for proviſions and other neceſſaries ſupplied by the public to priſoners in the power of the United States of America, ſhall be forthwith paid into the continental treaſury, ſubject to the future order of Congreſs.

The committee on the treaſury brought in a report; whereupon

Ordered, That three hundred dollars be advanced to lieutenant colonel Failly, on his pay, he to be accountable:

That a warrant iſſue on Thomas Smith, commiſſioner of the loan office in the ſtate of Pennſylvania, for ten thouſand dollars, in favor of Elias Boudinot, commiſſary general of priſoners,

general of prisoners, on application of the board of war; the said commissary general to be accountable:

That five hundred dollars be advanced to major James Armstrong Wilson, for recruiting two independent companies to be under his command, ordered to be stationed at Carlisle, the said Major Wilson to be accountable.

That one thousand eight hundred and thirty four dollars and 2-3ds be paid to captain John F. Mercer, being the ballance of bounty, cloathing and blankets due to fifty three non-commissioned officers and privates of the third Virginia regiment, now under the command of the said captain Mercer, who is to be accountable for this sum.

Ordered, That the report of the committee, respecting the establishment of a French legion, be postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *December* 23, 1777.

A letter of the 8th and one of the 11th from general Gates; one of the 12th from governor Trumbull, with a copy of a letter from R. Pigot, to lieutenant general Burgoyne, inclosed; one of the 3d from colonel Ganservort, one of the 29th of November from E. Hancock, deputy paymaster general in the Eastern department, with a monthly return; one of the 15th from colonel Mason at Williamsburgh; and one of the 17th of October last from captain J. Kendrick at Nantes, were read.

Ordered, That the letter from governor Trumbull, with that inclosed from R. Pigot, be referred to the committee on general Heath's letter.

That the letter from colonel Ganservort be referred to the board of war.

That the letters from Mr. Hancock and colonel Mason be referred to the board of treasury; and the letter from J. Kendrick to the committee of commerce.

The delegates from Virginia laid before Congress an account of the expences incurred by that state for prisoners.

Ordered, That it be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 24, 1777.

A memorial from lieutenant colonel Barton, who took general Prescot prisoner, was read; whereupon

Resolved,

Resolved, That lieutenant colonel William Barton, on account of his enterprizing spirit and his merit in taking major general Prescot prisoner, be promoted to the rank and pay of a colonel in the service of the United States: and that he be recommended to general Washington, to be employed in such services as he may deem best adapted to his genius.

The delegates of Virginia having applied for an advance of one hundred and fifty thousand dollars to their state, to pay for goods collected and seized for the continental army, in consequence of a recommendation of Congress.

Application being also made by the delegates of New-Jersey for an advance of one hundred and twenty thousand dollars to that state; and by the delegates from New-Hampshire for an advance of one hundred and fifty thousand dollars to their state.

Ordered, That these several applications be referred to the board of treasury.

The board of treasury brought in a report; whereupon

Ordered, That six hundred dollars be paid to the delegates of Maryland, on the application of Mr. Rumsey, one of the said delegates; that state to be accountable.

That fifteen thousand dollars be paid to Isaac Melcher, barrackmaster general, for the use of his department, and for which he is to be accountable.

Resolved, That all the forces under the command of general Gates, or the commanding officer in the Northern department, shall be paid by Jonathan Trumbull, junior, paymaster in the Northern department.

A letter from the president of the council of Pennsylvania to the delegates of that state, was laid before Congress and read:

Ordered, That it be referred to a committee of four; The members chosen Mr. Harvie, Mr. Clark, Mr. Duer, and Mr. Dyer.

A petition from Samuel Mifflin, by his proctor William Lewis, was read, relative to the brig Sally, captured by Samuel Champlin, commander of the privateer American Revenue, condemned in the court of admiralty in the state of North Carolina, alledging that the condemnation was wrongfully obtained by a tortius and fraudulent act of captain Champlin, and praying the privilege of an appeal.

Ordered,

Ordered, That the conſideration thereof be poſtponed.

A memorial from Iſrael Pemberton and others to the Congreſs, and executive council of Pennſylvania, was read.

The committee appointed to conſider what pay and allowance ought to be made to continental flying camp and militia officers, captivated by the enemy, and held as priſoners or admitted to return home on parole, brought in a report:

Ordered, That the conſideration thereof be poſtponed.

Reſolved, That a committee of three be appointed to take into conſideration the wants of the army, and the letter of the committee lately ſent to camp, directed to general Waſhington;

The members choſen, Mr. Gerry, Mr. J. B. Smith, and Mr. Witherſpoon.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Friday.

FRIDAY, *December* 26, 1777.

A letter of November 28th from general Schuyler at Saratoga, was read.

Reſolved, That three members be added to the committee appointed to enquire into the cauſes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers in the northern department at the time of the evacuation;

The members choſen, Mr. Dana, Mr. Witherſpoon, and Mr. Ellery.

Reſolved, That a committee of three be appointed to deviſe effectual means to prevent perſons diſaffected to the intereſt of the United States from being employed in any of the important offices thereof;

The members choſen, Mr. Roberdeau, Mr. Clark, and Mr. Ellery.

A letter of the 20th from William Lux was read, incloſing two bills of exchange drawn on the cloathier general by Raymond Demere, one in favor of John Wright Stanley, for one thouſand five hundred and ſixty-two dollars and 1-2, dated Savannah, November 1ſt, 1777, and the other of the ſame date, in favor of Peter Lavien and company, for three thouſand two hundred and ninety-nine dollars.

Ordered, That the ſame be referred to the board of treaſury.

The

The committee to whom were referred the letters that paſſed between general Heath and lieutenant general Burgoyne, relative to the reſolution of Congreſs of the 8th of November, and the letter of the 14th of November from lieutenant general Burgoyne to general Gates, brought in a report, which was read:

Ordered, That it be referred to a committee of the whole Congreſs.

Reſolved, That Congreſs reſolve itſelf in the afternoon into a committee of the whole, to take into conſideration the foregoing report.

A letter of the 22d and one of the 23d from general Waſhington, with ſundry papers incloſed, was read.

Ordered, That they be referred to a committee of three:

The members choſen Mr. Duer, Mr. Witherſpoon, and Mr. Harvie.

Three o'Clock, P. M.

Congreſs reſolved itſelf into a committe of the whole, to conſider the report of the committee to whom were referred the letters that paſſed between general Heath and lieutenant general Burgoyne relative to the reſolution of Congreſs of the 8th of November, and the letter of the 14th of November from lieutenant general Burgoyne to general Gates; and after ſome time ſpent thereon the preſident reſumed the chair, and Mr. F. L. Lee reported that the committee have had under conſideration the report referred to them, but not having come to any reſolution, deſire leave to ſit again:

Reſolved, That Congreſs to-morrow be reſolved into a committee of the whole, to conſider farther the foregoing report.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

SATURDAY, *December* 27, 1777.

A letter of the 22d from brigadier Enoch Poor, was read, recommending the reverend Mr. Iſrael Evans as chaplain to his brigade:

Ordered, That the conſideration thereof be poſtponed.

A memorial from brigadiers Poor and Patterſon was read:

Ordered, That it be referred to the committee appointed to enquire into the cauſes of the evacuation of Ticonderoga, &c.

A memorial

A memorial from monſieur de la Balme was read:

Ordered, That the conſideration thereof be poſtponed.

A letter of the 6th from Thomas Cuſhing was read, incloſing a bill drawn by him on Mr. Henry Laurens, preſident of the marine committee, in favor of Andrew and James Caldwell, for thirteen thouſand three hundred and fifty nine dollars:

Ordered, That it be referred to the marine committee.

A petition from the reverend Mr. Daniel Batwell was read, ſetting forth "that by means of his confinement he is languiſhing under a dangerous diſorder," and praying "to be enlarged on parole, or on giving ſecurity, or both, an indulgence which he requeſts for the ſake of his private affairs and the re-eſtabliſhment of his health:"

Alſo a certificate from doctor Henry was read, teſtifying, "that the petitioner labours under a complication of diſorders, and that clear air and gentle exerciſe are abſolutely neceſſary for his recovery" whereupon

It was moved, "That the petitioner be allowed to go to his farm, giving his parole to hold no correſpondence with the enemies of the United States, nor to do any thing whatever to the prejudice of the American cauſe, there to remain till further orders."

New Hampſhire,	Mr. Folſom,	*no*	*no*
	Mr Froſt,	*no*	
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr Lovell,	*no*	
	Mr. Dana.	*no*	
Rhode Iſland,	Mr Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
New-Jerſey,	Mr Witherſpoon,	*ay*	*divided.*
	Mr Clark,	*no*	
Pennſylvania,	Mr Roberdeau,	*no*	*divided.*
	Mr. James Smith,	*ay*	
Virginia,	Mr. F. L. Lee,		*
	Mr. Harvie,	*ay*	
North Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Wood,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative

Resolved, That in the opinion of Congress the reverend Mr. Batwell should be discharged from confinement on taking an oath of allegiance to the state of Pennsylvania; or on his refusal, that he should be allowed to go with his family into the city of Philadelphia.

Three o'clock, P. M.

The committee on the treasury brought in a report; whereupon

Ordered, That four hundred dollars be advanced to general Conway, on account of his pay, and that the same be delivered to major Mullen; general Conway to be accountable:

That four hundred dollars be advanced to the reverend John Hurt, on account of his pay as chaplain of brigadier Weedon's brigade; he to be accountable:

That sixty dollars be paid by John Gibson, auditor general, to Francis Minnis, lieutenant in captain Lewis's company of the first Virginia regiment, commanded by colonel Hendricks, for which sum the said colonel is to be accountable:

That fifty thousand dollars be advanced to the board of war, to be by them transmitted to Benjamin Harrison, junior, deputy paymaster in Virginia, for the use of his department, and for which he is to be accountable:

That a warrant issue on Thomas Smith, commissioner of the loan-office in the state of Pennsylvania, in favor of colonel W. Buchanan, commissary general of purchases, for fifty thousand dollars, for the use of his department; the said commissary general to be accountable:

That forty seven thousand eight hundred and thirteen dollars and 25-90ths be paid to monsieur Rouilhac, in discharge of the principal and interest of a bill drawn by Abraham Livingston and William Turnbull, dated Boston the 17th of June last, in favor of captain Pierre de Campe, for value received of James Pierce in sundry merchandize for public service, which bill is directed to the honorable Robert Morris, chairman of the secret committee of Congress, and for payment to apply to James Mease, cloathier; for which sum the said cloathier general is to be accountable.

Congress resolved itself into a committee of the whole, to consider farther the report of the committee on the letters that passed between general Heath and lieutenant general Burgoyne,

goyne, relative to the resolution of Congress of the 8th of November, and the letter from general Burgoyne to general Gates of November 14th, 1777, and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther consideration the report to them referred and have come to two resolutions thereon, which he was ready to report:

Ordered That they be now received:

The resolution agreed to by the committee of the whole being read,

Ordered, That the consideration thereof be postponed to Monday.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, *December* 29, 1777.

A letter of the 3d and two of the 4th of November, from general R. Howe at Charlestown, South-Carolina, were read:

Ordered, That they be referred to the board of war.

The delegates from the state of Virginia laid before Congress a resolution of the two houses of the general assembly of that commonwealth, passed December 12th, 1777, impowering any two of their delegates, from that time until the end of two months after the expiration of that session of the general assembly, to represent the state in Congress.

Resolved, That the committee on the letters of the 22d and 23d from general Washington be discharged; and that the said letters be committted to the board of war, and that the said board, in conjunction with Mr. Harnett, Mr. Gerry and Mr. Clark, be fully impowered to take the necessary measures for supplying the army with provisions and other necessaries.

A letter from major Dennis John du Bouchet was read, wherein he represents that his bad state of health obliges him to quit the service and return to France, and praying for a certificate of his past services and the reason of his return to France; intimating at the same time some embarrassment with regard to his finances.

Ordered, That a certificate be granted to him, and that his letter be referred to the board of treasury.

The committee on the treasury brought in a report; whereupon

Ordered,

Ordered, That three hundred dollars be advanced to Richard Roſs, expreſs rider, in part of his demand for ſervices to the 15th of October laſt he to be accountable:

That thirty dollars and 44-90ths be paid to monſieur Rouillhac, being ſo much ſhort charged by him in his intereſt account on Livingſton and Turnbull's bill of June the 17th, in favor of captain Pierre de Campe, and that the ſame be charged to the cloathier general.

That a warrant iſſue on John Lawrence, commiſſioner of the loan office in the ſtate of Connecticut, in favor of James Stevenſon, one of the commiſſioners of accounts for the Eaſtern department, for ſix hundred dollars, to be advanced to him, and for which he is to be accountable:

That thirty dollars be paid to Martin Nicolas, as a gratuity for riding expreſs with intelligence to Congreſs

Reſolved, That the ſeveral commiſſioners of the continental loan-offices of the United States be directed to pay the annual intereſt ariſing on certificates, that are or may be iſſued from their reſpective offices, taking receipts and making returns agreeable to the directions of the board of treaſury.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

TUESDAY, *December* 30, 1777.

The marine committee, to whom was referred a letter of the 11th from the navy board at Bordenton, complaining of the diſreſpect and ill treatment which one of the ſaid board lately received from John Barry, commander of the frigate Effingham, brought in a report; whereupon

Reſolved, That captain John Barry be required immediately to attend Congreſs, to anſwer to the complaint exhibited againſt him, and that he be furniſhed with an extract from the letter of the navy board, as far as it relates to the ſaid complaint.

Whereas it is eſſentially neceſſary to the marine ſervice, that the officers of the navy of the United States of America ſhould pay obedience to ſuch orders as the navy boards in the reſpective departments may at any time find neceſſary to give them, for promoting the public ſervice; and that all the officers in the ſaid navy ſhould treat the ſaid navy boards with decency and with reſpect;

Reſolved,

Resolved That the navy boards be and they are hereby empowered to suspend any officer of the navy within their respective districts who shall refuse to pay obedience to such orders as they may think necessary to issue, or who shall treat them with indecency and disrespect; and the said navy boards are hereby required to give immediate notice to the marine committee of any such suspension, with the reasons thereof.

The marine committee reported, "that they have taken into consideration the proceedings and sentence of a court-martial held on board the ship Lion, at Bordenton in New-Jersey, for the trial of John Stewart, master's mate of the ship Repulse, and James Ledlie, master at arms of the said ship, and John Pemberton, armourer, John Campbell, quartermaster, and Michael Tarney, a boy, all belonging to the said ship Repulse; and it appearing that the criminals previous to the offences for which they are under condemnation, had behaved themselves as became their stations, and no positive proof appearing that they intended to desert to the enemy; and they being recommended as proper subjects of mercy, it is their opinion that they be pardoned, on condition they will inlist to serve as privates in the navy during the war

Resolved, That Congress concur with the committee.

Three o'clock, P M.

The board of war brought in a report; whereupon

Resolved, That general Washington be directed to inform the brave officers and soldiers of the continental army now in camp, that as the situation of the enemy has rendered it necessary for the army to take post in a part of the country not provided with houses, and in consequence thereof to reside in huts; Congress approving of their soldierly patience, fidelity and zeal in the cause of their country, have directed one month's extraordinary pay to be given to each; and are exerting themselves to remedy the inconveniencies which the army have lately experienced from the defects of the commissary's and cloathier's departments.

That after the first day of January next the commissary general of purchases be directed from time to time to compute the cost of each part of a ration, agreeably to the prime cost of the article composing the same; and that he send a certificate thereof to the board of treasury; and also to the commissary

commiſſary general of iſſues, who is thereupon directed to publiſh the ſame to the iſſuing commiſſaries, to be by them obſerved in lieu of the eſtimate made in the 38th article of the commiſſary's regulations, paſſed by Congreſs the 10th of June laſt.

That general Waſhington be directed to recommend to the officers of the army to draw ſuch a part of their rations only as may be neceſſary for their reſpective ſubſiſtence, and to receive the reſidue thereof in money at the eſtimated coſt aforeſaid, until the difficulties ariſing from the preſent deficiency in the commiſſary's department ſhall be removed.

Reſolved, That the powers veſted in general Waſhington by the reſolutions of the 17th of September and 8th of October laſt, and the 10th inſtant, be extended from the laſt day of the preſent month to the 10th day of April next, unleſs ſooner revoked by Congreſs.

Reſolved, That perſons, inhabitants of any of theſe United States, who have voluntarily inliſted or ſhall ſo inliſt with or join the enemy of the ſaid ſtates, and have been or ſhall be taken in arms be confined in cloſe jails, ſubject to be delivered up to the reſpective ſtates to which they belong, to be dealt with agreeably to the laws thereof; and that the commiſſary general of priſoners and his deputies be directed from time to time to tranſmit to the reſpective ſtates the names of ſuch of their citizens, who have been made priſoners.

A letter from brigadier de Roche Fermoy, was read, deſiring to be promoted to the rank of major general; whereupon

Reſolved, That brigadier de Roche Fermoy be informed that Congreſs do not think it expedient to promote him to the rank he ſolicits.

Reſolved, That to-morrow be aſſigned for appointing an adjutant general in the room of colonel Pickering, who is called to the board of war.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 31, 1777.

A letter of the 22d, and one of the 25th from governor Livingſton were read.

Application being made by the delegates of Virginia, for five field pieces for the uſe of their ſtate.

Ordered,

Ordered, That it be referred to the board of war.

Three o'clock, P. M.

The committee on the treasury brought in a report; whereupon

Ordered, That one hundred thousand dollars be advanced to the state of Virginia, for the purpose of paying for goods collected and seized for the continental army, in consequence of a recommendation of Congress; the money to be paid to the delegates, and the state to be accountable.

That a warrant issue on William Armstead, commissioner of the loan office in the state of Virginia, in favor of the delegates of the said state, for fifty thousand dollars, for the purpose expressed in the foregoing order; the said state to be accountable.

That twenty thousand dollars be paid to the board of war, to be by them transmitted to John Smith, esquire, county lieutenant of Frederick, in the state of Virginia, to defray the expences of building barracks, purchasing provisions for prisoners of war in the said county, and the guards over them, and also for paying the guards, agreeably to the letter of October 23d, from his excellency governor Henry to colonel William Kennedy. the said John Smith to be accountable.

That a warrant issue on Joseph Borden, commissioner of the continental loan-office in the state of New-Jersey for fifty thousand dollars, in favor of the delegates of that state, for the use of the said state, which is to be accountable.

That five thousand eight hundred and ninety-eight dollars be paid to captain Williams, in the North-Carolina forces, for the purpose of paying the officers and recruits belonging to the several Virginia battalions under the command of colonel John Williams, now detained in York by direction of the board of war; for which purpose the said captain Williams is specially appointed paymaster.

Ordered, That captain Williams forthwith pay off the said recruits, according to the muster rolls attested by general Conway, and produce receipts from each of the officers and soldiers receiving the money, specifying the regiment or corps to which they belong to be transmitted by the auditor general to the paymaster general, who is to be accountable.

Ordered, That three hundred thousand dollars be advanced to William Buchanan, commissary general of purchases, for the use of the middle district; the said commissary general to be accountable.

That

That a warrant iſſue on Nathaniel Appleton, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, for two hundred thouſand dollars, in favor of James Meaſe, cloathier, for the uſe of his deputy Samuel Allen Otis, at Boſton: the ſaid cloathier general to be accountable.

Reſolved, That the cloathier general be directed to authoriſe Samuel A. Otis, his deputy, to draw bills on him for ſuch ſums as ſhall be neceſſary to anſwer the demands on Mr. Otis, for cloathing, which cannot be diſcharged by the preceding draught.

Whereas Samuel A Otis, deputy cloathier general in the ſtate of Maſſachuſetts-Bay, hath ſignified to Congreſs, that he hath contracted with ſundry perſons in the ſaid ſtate for a large quantity of cloathing for the uſe of the continental troops at the moſt extravagant rate of ten to eighteen hundred per cent. and that ſome of the holders of the ſaid goods have even refuſed to deliver him the ſame until they ſhall receive the caſh, thereby adding to extortion the crime of wounding the public credit as far as in them lay, and manifeſting a diſpoſition callous to the feelings of humanity and untouched by the ſevere ſufferings of their countrymen, expoſed to a winter campaign, in defence of the common liberties of their country.

Reſolved, therefore, That Mr. Otis be directed to pay only for ſuch of the ſaid cloathing as he may have actually received, at the rate for which he may have contracted for ſuch cloathing.

Reſolved, That it be moſt earneſtly recommended to the legiſlative authority of the ſtate of Maſſachuſetts Bay, immediately to take and ſeize the reſidue of the cloathing which the holders thereof have refuſed to deliver to the ſaid Samuel A Otis, agreeably to the reſolutions of Congreſs of the 20th inſtant, which cloathing ſhall be paid for in manner and at the rate mentioned therein, and not otherwiſe.

Ordered, That the preſident write to the preſident of the council of Maſſachuſetts Bay in the terms following:

"It is with inexpreſſible concern that Congreſs learn the extortionate views and demands of the proprietors of cloathing lately purchaſed or attempted to be purchaſed within your ſtate by Mr. Samuel A. Otis, deputy cloathier general, for the uſe of the continental troops now expoſed in the field to the ſeverities of the ſeaſon; and that thoſe individuals ſhould even add to the crime of extortion a greater, if poſſible, that of refuſing to deliver the goods upon the credit of the Thirteen United States, whereby they not only wound the public

public, but in all probability will be the means of many brave ſoldiers periſhing in the field, merely for want of neceſſary cloaths

"This irrefragable evidence of the depravity of morals in ſo many of the citizens of theſe ſtates is a moſt alarming circumſtance; and if the ſeveral governments do not ſpeedily exert their authority effectually to ſuppreſs ſuch unheard of extortion, it will unqueſtionably iſſue, and at no very diſtant period, in the deſtruction of the liberties of this continent. Congreſs feel themſelves obliged to ſound the alarm, however diſtreſſing it may be, to the ſeveral legiſlatures of theſe ſtates, that their revenues cannot ſupport ſuch aſtoniſhing extravagance. Shall we then tamely ſee ourſelves compelled, by the wicked conduct of ſome of the citizens of theſe ſtates, to the cruel neceſſity of ſubmitting to the mercy of an enraged tyrant

"This muſt, however, inevitably be our fate, ſhould we delay applying a remedy to ſo dangerous an evil Congreſs have judged it indiſpenſibly neceſſary to come into the reſolutions incloſed herein, and thoſe lately tranſmitted on a like ſubject, which you are deſired immediately to lay before the general aſſembly for their conſideration, who are requeſted to keep theſe reſolutions and their proceedings thereon ſecret, till carried into execution."

The board of war brought in a report; whereupon

Reſolved, That as it is expedient to promote a ſpeedy reformation in the army, as well for the purpoſe of diſcipline as œconomy; and the number of officers being already out of all proportion to that of the privates, to avoid further embarraſſments in this reſpect, it be recommended to the governments of the ſeveral ſtates, to ſuſpend filling up any vacancies in their reſpective regiments, until they ſhall hear further from Congreſs on the ſubject.

A motion was made for ſending a committee to camp:

Ordered, That it be referred to a committee of three;

The members choſen, Mr. Dana, Mr Duer, and Mr. Dyer.

Reſolved, That the appointment of an adjutant general be farther poſtponed.

A letter of this day from brigadier de Roche Fermoy; one of the 8th of November from Nicholas Cooke, preſident of the council of war for the ſtate of Rhode-Iſland; and one of the 17th inſtant from Jeremiah Powell, preſident of the council of Maſſachuſetts-Bay, were read.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to morrow.

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